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**ACTS**  
OF THE  
**GENERAL ASSEMBLY**  
OF THE  
**State of Georgia,**  
PASSED IN MILLEDGEVILLE  
AT AN  
ANNUAL SESSION  
IN NOVEMBER AND DECEMBER,  
**1829.**

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**ACTS**  
OF THE  
**GENERAL ASSEMBLY**  
OF  
**The State of Georgia.**

PASSED IN NOV. AND DEC. 1829.

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**ACADEMIES.**

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**AN ACT**, more effectually to define the duty of the Trustees of the Poor School Fund, in the respective counties of this State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from, and immediately after the passage of this Act, the Trustees of the Poor School Fund, in the respective counties in this State, are required, whenever the teachers of poor children, in their respective counties, shall make out their accounts agreeable to the provisions of an act, passed the twenty second day of December, eighteen hundred and twenty-eight, entitled "An Act, for the better distribution and application of the Poor School Fund, and to point out the mode of accounting, for the disbursement of the Academy and Poor school funds," to pay said accounts, at the times & on the days following, to wit: on the 1st Monday in April, on the 1st Monday in July, on*

## ACADEMIES.

the first Wednesday in October, and on the first Monday in January, in each and every year. Provided no account shall be paid, until the full end and expiration of the quarter, for which the demand is made.

Sec. 2 *And be it further enacted*, That the Trustee of the Poor School Fund, in the respective counties of this State, shall not wait, until all the Justices of the Peace in their respective counties, may report; but said trustee is hereby required, whenever said justices or any of them, shall fail or neglect to report, agreeable to the act of the twenty second day of December, eighteen hundred and twenty-eight, to pay over to such teachers, as may have made out their accounts as aforesaid, their respective demands.

*Provided*, That said trustee, on paying out such sums, shall retain in his hands, as nearly as he can ascertain, a ratable proportion of money, as will be sufficient to cover the demands that may be made in the defaulting districts, in his county, until said return shall have been made, agreeable to law.

Sec. 3. *And be it further enacted*, That all acts or parts of acts, militating against this act, be, and they are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to authorize and require his Excellency the Governor to make a distribution of the funds, set apart for the education of poor children, and for the endowment of county academies.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority aforesaid, That from and immediately after the passage of this act, his Excellency the Governor, be, and he is hereby authorised and required to cause a distribution of the fund set apart for the benefit and education of poor children, and for academical purposes, in the several counties, to be made among the several counties of this State, retaining for these counties which have not made a return of the census of said counties, an amount for each of such defaulting counties equal to the smallest of the counties of the State, which have made returns.*

*And be it further enacted, That all laws and parts of laws militating against this act, be and the same is hereby repealed.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

## ACADEMIES.

**AN ACT** to consolidate and add that part of the funds heretofore set apart, for the support for county academies to the Poor School Fund, so far as respects the county of Emanuel.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, that part of the funds heretofore set apart for the support of county academies, so far as respects the county of Emanuel be consolidated, added to, and become a part of the poor school fund of said county, subject in every respect, to the laws now in force on the subject, any law to the contrary notwithstanding.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT,** to repeal the Seventh Section of an act passed the 22d December, 1828, for the better distribution and application of the Poor School Fund, and to point out the mode of accounting for the disbursement of the Academy and Poor School Funds, so far as respects the county of Habersham.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the seventh section of the before recited act be, and the same is hereby repealed, so far as respects the county of Habersham.*

**Sec. 2.** *And be it further enacted by the authority aforesaid, That so soon as the Commissioners or Trustee of the poor school fund, of the county of Habersham, shall comply with the provisions of the before recited act, that then His Excellency shall be authorised to draw his warrant on the Treasury*

## ACADEMIES.

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in favor of the Trustee as aforesaid, subject to his personal application, or a written order for the sums due said county, signed by said Trustee, and attested by one of the presiding Justices of the Inferior Court of the county of Habersham—any law to the contrary notwithstanding.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER, Governor.**

**AN ACT,** to authorise the Justices of the Inferior Court of Glynn county, to sell the Academy building in said county, and to appropriate the proceeds thereof, to the education of the poor, and other county purposes.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the Inferior Court of Glynn county, is hereby authorised and empowered to sell and dispose of the Academy building in said county, at public sale, to the highest and best bidder, having first caused notice to be published of such sale in some public Gazette, and at three or more public places in said county, for thirty days, and the said court is further authorised to apply the proceeds of said sale, to the education of the poor children of said county, and for other county purposes.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 21, 1829.

**GEORGE R. GILMER, Governor.**

## ACADEMIES.

**AN ACT**, to Incorporate and appoint Trustees for the Redlick Academy in Monroe county, the Vernon Academy in Troup county, the Campbellton Academy in Campbell county, and the Randolph Academy in Randolph county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That* Job Taylor, Anderson Baldwin, Alexander Perkins, Edward Calaway and Turner Hunt, and their successors in office, are hereby appointed Trustees for the Redlick Academy in Monroe county, and that Woody Dozier, Willis Whatley, Elliott Reed, Wiley J. Sterling, and Ira Allen and their successors in office, be, and they are hereby appointed Trustees of the Vernon Academy in Troup county : and that Francis Irvin, Thomas Morell, Gilbert C. Coffee, James Grisham, Thomas M'Kay, Martin Kolb and Middleton Hill, and their successors in office be, and they are hereby appointed Trustees for the Campbellton Academy, in Campbell county : and that James Miller, John R. McNeal, Jared Irwin, William Everett, and Richard J. Snelling and their successors in office be, and they are hereby appointed Trustees for the Randolph Academy, in Randolph county.

**Sec. 2.** *And be it further enacted by the authority aforesaid,* That the said Trustees and their successors in office be, and they are hereby declared to be a body politick and corporate by the name and style of the Trustees of the several Academies before mentioned, and as such shall be capable and liable in law to sue and be sued, plead and be impleaded, and shall be authorised to make such bye-laws and regulations as may be necessary for the government of said Academies, provided, such bye-laws are not repugnant to the Constitution or Laws of this State, and for that purpose may have and use a common seal, and appoint such officers as they may think proper, and remove the same from office.

**Sec. 3.** *Be it further enacted,* That the said Trustees of the before-mentioned Academies, shall be capable of accepting and being invested with all manner of property both real and personal, all donations, gifts, grants, privileges, immunities whatsoever, which may belong to the said Institutions or which may hereafter be conveyed or transferred to them or their successors in office, to have and to hold the same for the proper benefit and behoof of the said Academies, severally.

## ACADEMIES.

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**Sec. 4.** *And be it further enacted,* That when any vacancy shall happen by death, resignation or otherwise of any one or more of the Trustees of said Academies, their survivors, or a majority of them, shall fill such vacancy as may be pointed out by the bye-laws of said Academies severally.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

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### AN ACT, to incorporate the Athens Female Academy.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That Moses Waddel, A. S. Clayton, Stevens Thomas, Alonzo Church, John A. Cobb, James Nesbitt and Asbury Hull, be and they are hereby appointed Trustees of the Athens Female Academy—with all the powers, liabilities, privileges and immunities of the other incorporated Academies of Clark county.

**Sec. 2.** *And be it further enacted by the authority aforesaid,* That the titles to the lot now occupied and used for the purposes of said Academy, together with the houses & appurtenances thereunto belonging be, and the same are hereby vested in said Trustees and their successors in office.

*Provided,* That nothing herein contained shall be so construed, as to authorise said academy to draw any portion of the Academic Fund of said county.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT to appoint and incorporate commissioners for the  
Decatur county Academy.**

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That Whitman Owens, Alexander McGowan, William Whiddon, John Degrafenreed, William Williams, William Powell and Thomas King, be, and they are hereby appointed commissioners of the Decatur county academy.*

**Sec. 2.** *Be it further enacted, That said Whitman Owens, Alexander McGowan, William Whiddon, John Degrafenreed, William Williams, William Powell and Thomas King, and their successors in office are hereby declared to be a body corporate and politic, invested with authority to use a common seal, to sue and be sued, plead and be impleaded, answer and be answered unto, and to use and exercise all authority, incident to corporations of the like kind, under the name and style of "the commissioners of the Decatur county Academy."*

**Sec. 3.** *Be it further enacted, That said corporation, be, and they are hereby authorised to call for and receive such proportion of money as may be the proportionate share of the Academical Fund, for said county of Decatur.*

**Sec. 4.** *Be it further enacted, That the "Commissioners of the Decatur county Academy" are hereby authorised to locate the academy building wherever the said corporation may deem fit and proper.*

**Sec. 5.** *And be it further enacted, That all vacancies which may occur in the board of commissioners, may be filled by the remaining commissioners or a majority of them, in such manner as they may provide in their by-laws and regulations—and that all acts or parts of acts militating against this act be, and the same are hereby repealed.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER, Governor.**



**AN ACT to consolidate the Poor School and Academical Fund for the county of Montgomery.**

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the fund set apart and known as the Academy Fund, for the county of Montgomery, shall no longer be known as a fund for that purpose, but shall be attached to, and become a part of the Poor School Fund for said county.

**Sec. 2.** *And be it further enacted,* That it shall be the duty of the commissioners of said academy to pay over all moneys or other effects belonging to said academy into the hands of the sole trustee for the poor school fund for said county, and by him, to be applied to the education of the poor, agreeable to the provisions of law.

**Sec. 3.** *And be it further enacted,* That the aforesaid trustee shall make application, and receive from time to time, any moneys in the treasury which may be set apart for the Montgomery county academy.

**Sec. 4.** *And be it further enacted,* That all laws and parts of laws militating against this act, be, and the same are hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

AN ACT to repeal the first section of an act, entitled an act, to add the Academy Fund, to which the county of Baker is entitled, to the Poor School Fund of said county, and fifty dollars and seventy cents of the Poor school fund to which the county of Early was entitled, for the years eighteen hundred and twenty-four and eighteen hundred and twenty-five to the same—And to authorise the taking of the census of sundry counties of this State, passed the twenty-seventh day of December, eighteen hundred and twenty-six.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of the above recited act, be, and it is hereby repealed.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER, Governor.

AN ACT to incorporate Carroll Academy, in the county of Carroll, and appoint Trustees for the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That Christopher Bowen, John Robinson, Sanders W. Ray, Thomas Chandler and Isaac S. Wood, and their successors in office be, and they are hereby appointed Trustees of Carroll Academy, in the county of Carroll, and as such are made and declared to be a body corporate, with power to sue and be sued, plead and be impleaded, have, hold, and convey property belonging to said academy, now or hereafter, and do all other things pertaining to the same.*

Sec. 2. *And be it further enacted, That the trustees of the academy aforesaid, shall have power to adopt such bye*

laws as they may deem necessary and proper, for the government and prosperity of the academy aforesaid, provided such byelaws are not repugnant to the laws and constitution of this State.

Sec. 3. *And be it further enacted*, That when a vacancy shall happen in the board of trustees of said academy, by death, resignation, or otherwise, the remaining trustees of the academy shall proceed to fill such vacancy by ballot.

Sec. 4. *And be it further enacted*, That the trustees of the academy aforesaid, as a body corporate shall, and they are hereby declared to be able and capable of receiving, having and holding all gifts, grants and donations whether real or personal, which may be given, granted or tendered to them for the benefit of said academy. 'Any law, usage or custom to the contrary notwithstanding.

WARREN JOURDAN

Speaker of the House of Representatives.

THOMAS STOCKS,

President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to repeal an act, entitled an act, passed on the twentieth day of December, 1826, to consolidate the Academical and Poor School Fund, set apart for Decatur county, and the same become a poor school fund.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the act, passed on the twentieth day of December, eighteen hundred and twenty-six, entitled an act, "to consolidate the academical and poor school fund, set apart for Decatur county, and the same become a part of the poor school fund," be, and the same is hereby repealed.

Sec. 2. *And be it further enacted*, That all acts, or parts of acts repugnant to this, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

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## APPROPRIATIONS.

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**AN ACT** to appropriate monies for the support of government for the political year 1830.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That the following sums of money be, and the same are hereby appropriated for the political year 1830, viz :

The salary of his Excellency the Governor shall be three thousand dollars per annum.

The Secretaries of the Governor (not exceeding three) one thousand dollars each per annum.

The Secretary of State two thousand dollars.

The Treasurer two thousand dollars.

The Comptroller two thousand dollars.

The Surveyor General two thousand dollars per annum.

The Clerk of the House of Representatives and Secretary of the Senate six hundred dollars each, provided that no warrant shall issue for the first quarter's salary of the Secretary of the Senate and Clerk of the House of Representatives until the Executive shall have satisfactory evidence that

the said Secretary of Senate and Clerk of the House of Representatives have respectively made, or caused to be made, and attached to the journals of the present session, good and sufficient indexes.

The Judges of the Superior Courts, each, twenty-one hundred dollars per annum.

The Attorney General and seven Solicitors General two hundred and twenty-five dollars each, per annum.

Sec. 2. *And be it further enacted*, That for the printing fund, not exceeding twenty thousand dollars, and the further sum of twenty thousand dollars be, and the same is hereby appropriated and set apart as a contingent fund, subject to the orders of the Governor, during the political year eighteen hundred and thirty.

Sec. 3. *And be it further enacted*, That for the compensation of the Members of the Legislature, four dollars each per day, during their attendance, be appropriated, and the sum of four dollars for every twenty miles in coming to and returning from the Seat of Government, and the sum of six dollars each per day to the President of the Senate and Speaker of the House of Representatives, during their attendance, and the sum of four dollars for every twenty miles in coming to and returning from the Seat of Government.

To the Clerk of the House of Representatives and Secretary of the Senate, during the session of the legislature, six dollars each per day, and the sum of sixty dollars for contingent expenses, each.

To two Engrossing Clerks and one assistant Clerk of the House of Representatives, and two Engrossing Clerks in the Senate, six dollars each per day.

To the Clerk of the Committee on Finance, eighty dollars.

To the Clerk of the Committee on the State of the Republic, eighty dollars.

To the Clerk of the Committee on Agriculture and Internal Improvement, Public Education and Free Schools, eighty dollars each.

To the Clerk of the Joint Committee on the Penitentiary, eighty dollars.

To the Messengers and Door-keepers of the Legislature, four dollars each per day during the present session.

To Henry Darnell the sum of one hundred dollars for airing, scouring and taking care of the Senate and Representative Chambers, and making fires on wet days.

To Peter Fair the sum of one hundred dollars for winding up the clock, and keeping clean the stair cases, passages, &c.

Sec. 4. *And be it further enacted,* That the sum of three thousand dollars be, and the same is hereby appropriated for completing the Arsenal in the city of Savannah.

Sec. 5. *And be it further enacted,* That the sum of eight hundred and fifteen dollars be, and same is hereby appropriated, for the use of the Academy of Randolph county, to paid over be to the Trustees of said Academy, the same being an endowment to place said county on an equal footing with the other counties of this state that have received the like sum.

To S. J. Mays of Clark county, twelve dollars and 50 cents, pursuant to a concurred resolution.

Also to Turner H. Trippe, Esq. the sum of ninety dollars, pursuant to a concurred resolution.

To the Inspectors of the Penitentiary, not exceeding three, two hundred and twenty-four dollars each per annum.

To Benjamin F. Hardeman, Solicitor General of the Northern Judicial Circuit, one hundred and fifty-seven dollars, agreeably to a concurred resolution.

To Ann M. Bostick, agreeable to a concurred resolution, the sum of ten dollars and sixteen cents.

Twenty-six dollars twelve and a half cents to Martin N. Burch, agreeable to a concurred resolution.

To Richard L. Simms, Solicitor General of the Flint Circuit, one hundred and twenty-seven dollars and fifty cents, being the amount of his commissions for collecting for the State five thousand and eleven dollars twenty-five and a half cents.

To Alston H. Green of DeKalb county, the sum of twenty dollars and sixty cents, agreeably to a concurred resolution.

To the Locust Stake Road five hundred dollars, agreeable to a concurred resolution.

Sec. 6. *And be it further enacted,* That the sum of eight hundred and fifteen dollars be, and the same is hereby appropriated, for the use of the Academy of Campbell county, to be paid over to the Trustees of said Academy, the same being an endowment to place said county on an equal footing with the other counties of the State that have received the alike sum.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate,

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

## ATTACHMENTS.

AN ACT to amend the several Attachment Laws of this State, so far as to permit persons whose property may be insured in Insurance Offices, carried on by agents in the State of Georgia, whenever a dispute shall hereafter arise between the Insurers and the Insured, to issue an attachment against the goods, property or effects of said Insurance Company, and to garnishee its agent or agents.

Whereas disputes have arisen, and may hereafter arise, between Insurance Companies, whose business is carried on in this State by agents, as to the amount of loss which they may have sustained by fire or otherwise. And whereas, when such disputes do arise, the insured is compelled, at great expense, and almost at a total loss of his insurance, to prosecute his rights in the country or state where the Insurance Company hath been incorporated, to the manifest injustice of the rights of the citizens of this State, and to their great inconvenience, for remedy whereof,

Sec. 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall and may be lawful for any person or persons who may hereafter insure his, her, or their property or effects in any Insurance Office or Company, carried on by agents in the State of Georgia, when any dispute shall or may hereafter arise from any cause whatsoever, between the said insurers and the insured, either in relation to the amount of loss claimed, or the justness of the claim or demand, after he, she, or they shall have first complied with the rules and regulations of said Insurance Office or Company, contained in the policy as to notice and loss, to issue an attachment against said company, upon refusal or neglect to pay said loss, to the amount claimed by the insured, so that the same do not exceed the a.

mount contained in the policy in the same manner, and under the like restrictions as are pointed out in the attachment laws of this State, passed 18th day of February, 1799.

*Sec. 2. And be it further enacted by the authority aforesaid,* That upon said attachment being issued out, as aforesaid, it shall and may be lawful for the said plaintiff in attachment to summon the agent or agents of such Insurance Office or Company, in writing, to appear at the term of the court to which the said attachment shall be made returnable, under the penalty of an attachment for contempt, then and there to answer upon oath, what he, she, or they are indebted to, or what effects of said office or company he or they had in his or their hands at the time of issuing said attachment, and hath or have at the time of making his, her, or their return, under oath, as aforesaid, and if the said agent or agents shall deny being indebted to, or having in his, her, or their hands any property or effects belonging to said office or company, at the time of issuing the attachment, and at the time of making his return under oath, as aforesaid, it shall and may be lawful for the said plaintiff in attachment to traverse such denial in the same manner, and under the like penalty as is prescribed in the second section of the attachment law, as aforesaid.

*Sec. 3. And be it further enacted by the authority aforesaid.* That it shall and may be lawful for the said company, against whom said attachment may issue, or their agent or agents, upon the same being issued, to dissolve such attachment—the said company against whom it shall issue, giving bond and security to the sheriff or other officer, authorised to receive the same, in double the amount claimed, for the eventual condemnation money, and all costs; which bond so given shall be, and is hereby declared to be assignable by said sheriff, or other officer, to the plaintiff in attachment, upon the said agent or agents of said company failing or refusing to pay or cause to be paid to the said plaintiff or his attorney, within thirty days after the rendition of a final judgment against said company or said claimant, the amount of said judgment, and all costs—and the said plaintiff in the said attachment is hereby authorised, forthwith, to commence an action of debt, or said bond against said company, and its securities, and shall and may recover judgment on said bond for the amount of said original finding against said principal and securities as aforesaid, jointly or severally, according to the existing laws of this State, in such cases made and provided.



Sec. 4. *And be it further enacted*, That all laws, or parts of laws, militating against this law, be, and same is hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to Dec. 19, 1829.

GEORGE R. GILMER, Governor.

## BANKS.

AN ACT to amend "an act to establish a Bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate monies, Bank Stock, and other securities, to form the Capital Stock of said Bank, and to incorporate the same," passed on the 22d of December, 1828; and also, to provide for the disposition and sale of lands forfeited to the State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That nothing contained in the said act shall be so construed as to prevent or prohibit the Directors of the said Bank from allowing any person indebted to the State, in a sum exceeding two thousand five hundred dollars, from renewing his or her or their notes, bonds, or other specialties, for the whole amount of his, her, or their debt, according to the provisions of the said act. But the said Bank shall allow any person indebted to the State, in any amount, to run notes in said Bank for the same.

## BANKS.

**Sec. 2.** *Be it further enacted by the authority aforesaid,* That nothing contained in the twenty-second section of the said act shall be so construed as to prohibit the Directors from requiring to be paid in upon loans already made, or hereafter to be made, twenty per centum per annum on the original amount of the said loan.

**Sec. 3.** *Be it further enacted by the authority aforesaid,* That the Directors of the said Bank shall hereafter distribute their loans as equally as practicable among the citizens of this State, having due regard to the population of the different counties, on the basis fixed by the seventh section of the first article of the constitution.

**Sec. 4.** *Be it further enacted,* That the Directors of the Bank shall be and are hereby authorised and required to receive all dividends which may become due on the Bank Stock now owned by the State, and to pay over so much thereof as has been heretofore set apart for internal improvement and education, to the Treasurer.

**Sec. 5.** *Be it further enacted by the authority aforesaid,* That the Directors of the said Bank be, and they are hereby authorised and required immediately to take the necessary measures to procure a transfer on the Books of the several Banks in which this State owns Stock, of the said Stock so owned by the State in the said Banks respectively, to the said Central Bank of Georgia, and that the said several Banks in which the State owns Stock, be, and they are hereby authorised, on the application of the Directors of the said Central Bank of Georgia, to transfer all the said Stock so owned by the State, in such Banks respectively, to the said Central Bank of Georgia.

**Sec. 6.** *Be it further enacted by the authority aforesaid,* That persons indebted to the State for lands or other real estate, by bond, note, or otherwise, and where the said debt is payable by instalment, be, and they are hereby allowed to discount their notes in the said Bank for the whole amount of the said debt, upon the same conditions, reservations and restrictions as other debtors of the State are allowed to obtain discounts, and that in estimating the amount due on such debt, when such debt does not bear interest, a deduction shall be made, therefrom, of an amount equal to the discount at six per cent. on the debt, from the time the said discount shall be granted, until the same shall become payable, according to the terms of the original bond, note or contract ;

and that upon the note of such debtor being discounted, as aforesaid, and the proceeds thereof passed to his credit, and his check given therefor, he shall be, and is hereby authorised to demand of his Excellency the Governor a grant or such other title to the said land or real estate as he would have been entitled to receive upon a full compliance with the terms of the original contract : *Provided* that, before he shall be entitled to demand or receive the said grant or other title, he shall be required to deposit in the office of the Surveyor General a certificate signed by the Cashier of the said Bank, that his said debt has been fully settled, by note or notes—*And provided also*, that nothing herein contained shall be so construed as to affect any security or lien which the State may have on any lands or other real estate for securing the payment of any debt which has been transferred to the said Bank, and for which a note has been already discounted by the said Bank.

Sec. 7. *Be it further enacted by the authority aforesaid*, That the Directors of the said Bank, be, and they are hereby authorised to deliver to the obligors or makers, all bonds, notes or other obligations which have been transferred to the said Bank, and which have been or may hereafter be fully paid and satisfied.

Sec. 8. *Be it further enacted by the authority aforesaid*, That in making settlements with the debtors of the State, the Directors of the said Bank shall demand and require the payment of interest thereon from the time the said debt became due, according to the terms of the original contract.

Sec. 9. *Be it further enacted by the authority aforesaid*, That in no suit or action in any court of this State, in which the said Bank may be a party shall it be lawful for the other party or parties to require the said Bank to produce the books of the Bank into court in evidence, nor shall it be lawful for such party or parties to require, by subpoena or otherwise, the attendance of any officer of the said Bank in court on the trial of such cause. But whenever, in any such suit it may become necessary for the attainment of justice, that the evidence contained in the said books, or the testimony of such officer should be had, it shall and may be lawful for either party in such cause, requiring such evidence or testimony, to take out a commission, in the usual manner, to examine the officers of the said Bank as to the contents of the said books, or as to their own knowledge of the facts, notwithstanding such officer may reside in the county in which such suit may be pending.

Sec. 10. *Be it further enacted by the authority aforesaid,* That it shall be the duty of the Directors of the said Bank to cause all the lands which have been or may hereafter be forfeited to the State, and all lands which were intended to be disposed of, but were not drawn for in the several land lotteries of this State, to be sold at public outcry, before the courthouse in the county in which the land lies, between the usual hours of sheriff's sales, on such days as the said Directors may deem best. *Provided always,* that sixty days previous notice of the time and place of such intended sale, with a description of each tract of land intended to be sold, shall first be published in one of the gazettes printed in the circuit in which such land may be situate, if there be such gazette, and also in the gazettes published in Milledgeville: *And provided also,* that nothing contained in this section shall be so construed as to operate upon or affect any indulgence which has been, or may be extended by the present legislature, to the purchasers of lands already forfeited.

Sec. 11. *Be it further enacted by the authority aforesaid,* That if any purchaser or purchasers of lands now forfeited, or which may hereafter be forfeited to the State, shall settle with the said Bank the amount of the original purchase money remaining unpaid, with the interest due thereon, at any time before the said land is resold, as provided in the tenth section of this act, then and in such case the title to the said land shall be re-invested in such purchaser, as fully and absolutely as if the said land had not been forfeited.

Sec 12. *And be it further enacted,* That in directing, by the second section of the act establishing the Bank, the transfer to it, of all the bonds, notes, specialities, judgments due, or to become due to the State, the General Assembly did not divest the State of any of its rights, powers, privileges or immunities, reserved by law, or accruing to it in virtue of its sovereign capacity, in regard to the collection of the aforesaid bonds, notes, specialities, &c. farther than to vest the said rights, powers, privileges, and immunities, in the said President and Directors. And all the aforesaid rights, powers, privileges and immunities are hereby declared to be vested in the President and Directors of the said Bank, by them to be used, enjoyed and exercised, in behalf, and for the benefit of the State, in regard to the aforesaid bonds, notes, specialities, judgments, &c. and all notes that have been, or may hereafter be, discounted in renewal of them, in terms of the charter, and all other notes and bills of exchange that have been, or may hereafter be discounted by said Bank, in as full, perfect, absolute and unqualified a manner as they

could have been used, enjoyed, and exercised by the State, had no such transfer been made, or such Bank been established.

Sec. 13. *And be it further enacted*, That from and after the passing of this act, it shall not be lawful for any Clerk or Clerks of the Central Bank to be a Director of any other Bank in this State.

Sec. 14. *And be it further enacted by the authority aforesaid*, That all laws, and parts of laws, militating against this act, be, and the same is hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to authorise the Bank of Darien to redeem the amount of its Bills, now in the Central Bank, upon certain terms.

Whereas a resolution passed both branches of the Legislature in 1827, making it obligatory upon the Bank of Darien to redeem semi annually \$75,000 of its Bills, then in the Treasury—And whereas, by the act chartering the Central Bank, it is the opinion that the aforesaid resolution has been repealed :

Sec. 1. *Be it enacted by the Senate and House of Representatives, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and immediately after the passage of this act, that the Bank of Darien shall be bound by the resolution already above cited.

Sec. 2. *And be it further enacted*, That it shall not be in the power of the Directors of the Central to call upon the Bank of Darien for a redemption of more than \$75,000 of its Bank Bill semi annually.

**CLERKS.**

*Sec. 3. Be it further enacted,* That all laws, and parts of laws, militating against this act, be, and the same is hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**CLERKS.**

**AN ACT** to require the clerks of the court of Ordinary of the several counties of this State, to record in their offices all Guardians and Administrators bonds.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the clerks of the court of ordinary of the several counties of this State to record, in a book to be kept for that purpose, all Guardians, and Administrators bonds, taken before the court of Ordinary of their several counties within six days after the same are executed.

*Sec. 2. Be it further enacted by the authority aforesaid,* That all laws and parts of laws militating against this act, be, and the same are hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 18, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to repeal an act, entitled "an act, to repeal an act, entitled an act to compel clerks to keep their offices at the court-houses of the respective counties, or within one mile thereof, passed 7th December, 1807, as far as respects the counties of Wayne, Tattnall, Wilkinson and Laurens, passed 10th December 1808" so far as respects the county of Wayne; and to compel the clerks of said county of Wayne, to keep their offices at the court-house of said county, or within one mile and an half thereof.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the above recited act as relates to the county of Wayne, be and the same is hereby repealed.*

**Sec. 2.** *And be it further enacted, That from and after the passage of this act, the clerks of said county of Wayne, shall hereafter keep their offices at the court-house of said county, or within one mile and an half thereof.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

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## COUNTIES.

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**AN ACT** to add a part of the county of Marion to the county of Muscogee,

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That immediate-*

ly from and after the passage of this act, that part of Marion county lying West of the Upertoy creek, commencing on fraction number fifty-two in the tenth district on said creek—thence down the meanders of said creek, until it intersects the present county line, be added to, and become a part of the county of Muscogee.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to lay off the county of Lee into election districts.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the places of holding elections for Governor, members of Congress, members to the Legislature, and county officers, shall be held under the superintendence of one or more justice of the peace, or of the inferior court, and two freeholders at the five places following, and no other to wit: In the fourteenth district at the house of Axum Webb, in the second district at the house of Reubin Wheeler, in the seventeenth district at the house of Foose, at the house of Benjamin Thomas, the place of holding Justices courts for the twenty-seventh and twenty-eighth districts of said county, and at the place of holding the superior and inferior courts for said county.*

Sec. 2. *And be it further enacted, That it shall be the duty of one of the presiding justices at each of the election districts aforesaid, to meet at the place of holding the superior and inferior courts in said county, on the day succeeding the first Monday in October, and consolidate the returns from the five districts and make a return of the result to his Excellency the Governor, signed by each of said justices.*



**Sec. 3.** *And be it further enacted,* That if any person shall vote, or attempt to vote at more than one of said places on the same day, he shall, upon conviction before a justice of the peace, pay a fine not exceeding thirty dollars, to be collected by warrant of distress and sale of the offenders property, and be paid one half to the informer, and the other half into the county treasury.

**Sec. 4.** *And be it further enacted,* That all laws militating against this act, shall be and are hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

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**AN ACT** to extend the jurisdiction of Butts county over the Oakmulgee river and islands on said river, adjoining said county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the jurisdiction of Butts county be, and the same is extended over the Oakmulgee river and islands on said river, adjoining said county of Butts. Any law to the contrary notwithstanding.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to repeal an act, entitled "an act to regulate the trading of merchants, shop keepers and others, so far as regards the county of Glynn, and to punish those who may attempt to defeat the same," assented to on the eighteenth December, eighteen hundred and twenty-seven.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage this act, that the above recited act be, and the same is hereby repealed.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to add a part of the county of Clark to the county of Madison.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, that part of Clark county lying North East of a line beginning at a point on the Madison county line, where a line crosses said Madison county line, known by DeEstangs line and running with said DeEstangs line, south, forty-four degrees, east, one hundred and thirty-five chains, and seventy-two links to the line of the county of Oglethorpe, thence with the line of the*

county of Oglethorpe to the Madison county line—including eight hundred and twelve acres, which shall be added to, and become a part of the county of Madison.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to repeal an act, entitled “an act to regulate the trading of Merchants, shop keepers and others, so far as regards the county of Liberty, and to punish those who may attempt to defeat the same,” assented to, on the twentieth of December, eighteen hundred and twenty-six.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same.* That from and immediately after the passage of this act, that the above recited act be, and the same is hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

AN ACT to attach Fraction number two hundred and forty-eight, in the sixth district of the county of Gwinnett to the county of DeKalb.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, Fraction number two hundred and forty-eight, in the sixth district of Gwinnett county, whereon Joseph Gault resides, shall be attached to, and made a part of the county of DeKalb.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER, Governor.

AN ACT to add a part of Harris county to the county of Muscogee.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That immediately from and after the passage of this act, that part of Harris county, lying south of the following line, shall be added to and become a part of the county of Muscogee, commencing at the northeast corner of lot number one hundred and ninety-five, in the seventeenth district, formerly Muscogee now Harris county: thence a due west line to the northwest corner of lot number forty-eight, in the eighteenth district: thence due north to the northeast corner of lot number one hundred and ninety-seven, in the nineteenth district: thence due west to the northwest corner of Fraction number two hundred and fourteen, in the same district, on the Chattahoochee river.*

WARREN JOURDAN,  
Speaker of the House of Representative.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

## COURTS.

**AN ACT** to alter and change the time of holding the Superior and Inferior courts of the county of Baldwin, and the Superior courts of the county of Twiggs.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the superior court of the county of Baldwin shall hereafter be held, on the fourth Monday in February and August, in each and every year.*

**Sec. 2.** *And be it further enacted by the authority aforesaid, That the inferior courts of said county, shall hereafter be held on the fourth Mondays in May and November, in each and every year.*

**Sec. 3.** *And be it further enacted by the authority aforesaid, That the superior court in the county of Twiggs shall be held on the first Mondays in March and September, in each and every year.*

**Sec. 4.** *And be it further enacted, That all declarations, writs and other processes, returnable to the terms as heretofore held, shall be made returnable to the terms respectively, as authorised by this act.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to alter the time of holding the Superior courts in the counties of Franklin and Rabun of the western circuit.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the time of holding the superior courts in the counties of Franklin and Rabun, shall be as follows : In the county of Franklin the second Monday in April and October : in the county of Rabun the fourth Monday in April and October.*

*Sec. 2. And be it further enacted by the authority aforesaid, That all persons summoned, subpoenaed or bound as jurors, witnesses, jurors, or in any other capacity to attend said courts, at the time which by the laws now in force are holden, shall be bound by virtue of said summons, subpoena, or any other process heretofore issued, to attend said courts, as altered by this act.*

*Sec. 3. And be it further enacted by the authority aforesaid, That all writs, precepts, and processes of any kind or nature whatsoever, shall be made returnable to the terms heretofore recited.*

*Sec. 4. And be it further enacted by the authority aforesaid, That all laws militating against this act be, and the same is hereby repealed.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER, Governor.**

AN ACT to change the time of holding the Inferior Court of Talbot county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That in future, the time of holding the Inferior court in the county of Talbot shall be on the fourth Monday in July and January ; any law to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec, 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT to alter the time of Holding the Superior court in the county of Dooly.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from, and immediately after the passage of this act, the superior court, in, and for the county of Dooly shall be held on the first Monday after the fourth Monday in May and November.*

Sec. 2. *And be it further enacted, That all writs and processes, shall be, and they are hereby declared to be returnable to the terms of said court, the same as if the sitting thereof had not been changed ; any law to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Nov. 19, 1829?

GEORGE R. GILMER, Governor.

AN ACT to amend the several acts, respecting the Court of Common Pleas of the city of Augusta.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the Court of Common Pleas for the City of Augusta, shall have jurisdiction in all civil cases (except such as involve title to real estate, or that may fall within a magistrate's jurisdiction) where the sum claimed, or the demands of the plaintiff, shall not exceed the sum of three hundred dollars exclusive of interest.*

*Sec. 2. Be it further enacted by the authority of the same, That the Judge of the said court of Common Pleas, shall in the absence of the Judge of the Superior court, have concurrent jurisdiction with the Justices of the Inferior Court, in all matter of Habeas Corpus, and shall also have full power and authority to issue warrants upon criminal charges, to examine persons apprehended under said warrants, and to commit, discharge, or admit to bail, in the same manner that a justice of the peace may now do: Provided that the offence charged, and upon which, the said Judge may issue his warrant, ~~has~~ been committed or that the same is alleged to have been committed in the said city of Augusta.*

*Sec. 3. And be it further enacted by the authority of the same, That the Judge of the said court of common pleas or any member of the City Council, shall have full power and authority, to issue attachments which shall be returnable to the said court, and within the jurisdictional amount of the same, in all those cases where a Judge or other officer may now, according to law, issue attachments.*

*Sec. 4. And be it further enacted by the authority of the same, That in all cases brought in the said court, where the Judge thereof shall be a party or interested therein, it shall be the duty of a justice of the Inferior Court of Richmond county, to preside at the trial of the same.*

*Sec. 5. And be it further enacted by the authority of the same, That all actions commenced in said court for the recovery of rent in arrear, shall be tried at the first term, unless good cause be shewn for a continuance; and judgment shall be given, upon all writs of scire facias against bail, at*



the term of said court, to which they may be returnable, unless sufficient cause be shewn for a continuance.

Sec. 6. *And be it further enacted by the authority of the same,* That in all cases where a suit shall be instituted in the said court, on any open account, bond, note, or other obligation in writing, against two or more persons, and any of the defendants in said suit, shall reside out of the City of Augusta, the Clerk of said court, shall make out an original petition and process, and a copy or copies thereof for each county, in which the defendant or defendants may reside; and it shall be the duty of the plaintiff or his attorney, to deliver the said original and copy, to the sheriff of the county, in which the defendant or defendants may reside, whose duty it shall be to serve the same, and to make due return thereof, to the said court, and the plaintiff shall then proceed as in other cases: *Provided* that at least one of the defendants reside in said city, and be served with process

Sec. 7. *And be it further enacted by the authority of the same,* That the sessions of said court, in each and every year, shall be six, and shall be held on the fourth Monday in January, on the fourth Monday in March, on the fourth Monday in May, on the fourth Monday in July, on the fourth Monday in September, and on the fourth Monday in November, from and after the passage of this act.

Sec. 8. *And be it further enacted by the authority of the same,* That any party against whom a judgment may be entered, may stay the levy of execution for the space of sixty days, on payment of all costs, and giving good and sufficient security within four days after judgment, for the payment of the debt so recovered, and all future costs which may accrue therein; and if such party shall fail to pay the same agreeably thereto, execution may issue against such party and the security, without any other proceeding thereon.

Sec. 9. *And be it further enacted by the authority of the same,* That any law or parts of laws, militating against the provisions of this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to alter and change the time of holding the Superior court of Butts county, so far as respects the October term of said court.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the time of holding the Superior court of Butts county, shall be held on the fourth Monday in October in each year, in place of the first Monday as heretofore.*

**Sec. 2** *And be it further enacted,* That all writs, processes and recognizances made returnable the first Monday, shall be returnable to the fourth Monday in October—any law to the contrary notwithstanding.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.  
Assented to, Dec. 22, 1829.  
**GEORGE R. GILMER,** Governor.

**AN ACT** to authorise the Inferior Courts of this State, when sitting for ordinary purposes, to order the sale of any slave or slaves, belonging to the estates of Testators or Intestates, or Wards.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That it shall, and may be lawful for the Inferior courts of the several counties in this State, when sitting for ordinary purposes, to order the sale of any slave, or slaves belonging to the estate of any Testator or Intestate or Ward, on the application of the Executor or Executors, or Executrix, Administrator, Administrators or Administratrix, or Guardian or Guardians,*

which shall be at public auction, and on the first Tuesday of the month, between the usual hours of sale, at the place of public sales in the county where the letters Testamentary, of Administration or Guardianship, may have been granted, giving sixty days notice thereof in one of the Gazettes of this State, and at the door of the Court-house of the county where such sales are to be held, where it is made fully and plainly appear that the same will be for the benefit of the heirs and creditors of such estate, or of the Ward of such Guardian or Guardians: *Provided*, that a notice of such application for leave to sell, be first made known in one of the public Gazettes of this State at least four months before any order absolute, shall be made thereupon.

**WARREN JOURDAN**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 21, 1829.

**GEORGE R. GILMER, Governor.**

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**AN ACT** to alter and change the time of holding the Superior Courts in the Chatahoochie circuit.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the time of holding the superior courts in the Chatahoochie circuit shall be, as follows:*

In the county of Muscogee on the second Monday in February and August.

Randolph, on the Wednesday after the third Monday in February and August.

Lee, on the fourth Monday in February and August.

Marion, on the Thursday thereafter.

Talbot, on the first Monday in March and September.

Harris, on the second do do do

Meriwether, on the third do do do

Troup, on the fourth do do do

Coweta, on the first Monday in April, and Wednesday after the first Monday in October.

DeKalb, on the second Monday in April and October.

Campbell, on the third           do           do           do

Carroll, on the fourth           do           do           do

Sec. 2. *And be it further enacted*, That all writs, processes and recognizances returnable to any of the aforesaid courts, and all persons summoned to appear at the same, shall be returnable to, or be bound to appear at the same, at the times specified in this act ; any law to the contrary notwithstanding.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 21, 1829.

**GEORGE R. GILMER,** Governor.

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**AN ACT** to authorise the Inferior Courts of the several counties in this State, to transcribe the records of the superior courts and inferior courts, and of the courts of ordinary of said counties ; and more fully to define the duties of the clerks of the superior courts and inferior courts, and to provide a remedy for the non-performance of such duties.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That whenever it shall be made known to the inferior courts of the several counties in this State, that the records of the superior courts and of the inferior courts, and courts of ordinary, or of any of said courts, in their respective counties, have become obliterated, defaced, or mutilated, it shall, and may be lawful, for said inferior court to employ some fit person, or persons to transcribe such records into new books of a substantial nature ; and such records when so transcribed and approved by said inferior court upon their inspection, or upon the ex-

amination of any person or persons, whom they shall appoint for the purpose, shall have all the validity and authenticity of the original records.

*Sec. 2. And be it further enacted by the authority aforesaid,* That whenever it shall appear to the Inferior courts aforesaid, that the clerks of the said courts hereinbefore mentioned, have failed or neglected to copy into a book of record, all the proceedings, in all civil cases in said courts respectively, or that the said proceedings have been partially and imperfectly copied, it shall and may be lawful for the said inferior courts to employ some fit and competent person or persons, to copy the said proceedings into a book or books of record : and the said books of record shall, when approved by said inferior court, or by the person or persons, by them to be appointed for the purpose of examination, have the same force, validity and authenticity, as if the said proceedings had been fully copied by the clerks aforesaid, within the time prescribed in the thirty-fourth section of the act of the General Assembly, passed on the sixteenth day of February, seventeen hundred and ninety-nine.

*Sec. 3. And be it further enacted by the authority aforesaid,* That the said inferior court, in the employment of a person or persons to transcribe the records, and to copy the proceedings as herein before directed, shall offer the same to the lowest bidder, due regard being had to the competency of the several persons proposing, and shall require bond with approved security payable to the justices of the inferior court of the county, and their successors in office, in a penalty to be fixed by them or any three of them, for the completion of the contract, at such time or times as shall be stipulated, and for the safekeeping and return of the books, documents and papers, that may be entrusted to him or them for the purposes aforesaid.

*Sec. 4. And be it further enacted by the authority aforesaid,* That the inferior courts shall be authorised to institute a suit or suits, in the superior court, upon the bond or bonds of any clerk, who has failed or neglected to copy into a book of record, all the proceedings in all civil cases in said courts respectively, according to the true intent and meaning of the said thirty-fourth section of the act aforesaid, or who shall hereafter fail or neglect to record the proceedings of said courts as hereinafter required, and shall recover damages for the neglect or failure of such clerk, in manner aforesaid, according to the rates, for recording said proceedings, in all

the cases which such clerk shall have failed, or shall fail to record—or which he shall have imperfectly recorded, or shall imperfectly record. And in case there be no valid bond of said clerk, it shall and may be lawful for said superior court to cause said clerk, by a rule or order of said court, to pay into the hands of the county Treasurer, such sum or sums of money as it shall appear to said court that such clerk has received or shall receive, as fees for recording of proceedings, in cases which he has, or shall fail or neglect to record; or has, or shall imperfectly record, and to enforce such order by process of attachment—*Provided* when it shall appear that said clerk has not received the recording fees in any case or cases, the amount of such fees shall not be included in the damages, herein required to be collected, nor in the sum herein directed to be paid.

Sec. 5. *And be it further enacted by the authority aforesaid,* That the proceedings in all cases, criminal as well as civil, hereafter determined in the several courts of law and equity in this State, shall be fully and fairly copied by the clerks of such courts respectively, into record books of a substantial nature, previous to the next term of such courts, after the adjournment of the court in which such cases shall be determined.

Sec. 6. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the grand juries in the several counties of this State, from term to term of the superior courts, to inspect and examine the offices, papers and records in the superior and inferior courts of their counties, and if the said proceedings, shall not have been copied into a book or books of record, according to the true intent and meaning of this act, they shall cause the clerk or clerks, who shall have failed or neglected to do his duty as required by this act to be presented for non performance of official duty—and the said superior court shall order the bond of such clerk to be prosecuted, and recovery shall be had thereon as directed in the aforesaid third section of this act—and if there be no bond, said court shall proceed against such clerk, as in such case is therein directed.

Sec. 7. *And be it further enacted by the authority aforesaid,* That all laws or parts of laws, militating against this act be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to provide for the admission of Attorneys and Solicitors from adjoining States and Territories, to plead and practice law in this State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall and may be lawful for any Judge of the superior courts of this State, in term time of any of said superior courts, upon application being made and filed in writing, to cause a licence to be issued by the clerk of said court, to any attorney or solicitor, from any of the adjoining States or Territories, to plead and practice in any of the courts of law and equity in this State, as fully as if such applicant were a citizen of Georgia—*Provided* said applicant shall, before the granting of such licence produce to the Judge aforesaid, a certificate from some one of the Judges of the superior, circuit or district courts of the State or Territory of which he is a citizen, under the seal of said court, stating that he is of good moral character, and that he has been regularly admitted to plead and practice law in such State or Territory, and is at the date of such certificate, a practicing attorney of such State or Territory.

*Sec. 2. And be it further enacted by the authority aforesaid,* That the clerk of the superior court who issues such licence shall be entitled to, and receive the same fee therefor, to be paid by said applicant, as is usually paid by persons admitted, who are citizens of this State.

*Sec. 3. And be it further enacted,* That all laws or parts of laws, militating against this act be, and the same are hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

## CHURCHES.

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**AN ACT** to make valid the acts of the Trustees of the Congregational Church or Meeting House of White Bluff ; to regulate the future election of Trustees ; and to empower them to sell fifty acres of land, and a lot in Vernonburg, and to raise funds on the pledge or mortgage of the property of the corporation.

Whereas the Trustees of the Congregational Church or Meeting House of White Bluff, in the discharge of their trust, have done acts not in strict accordance with the powers vested in them by their charter of incorporation, which acts, however, are of a beneficial nature to the said corporation, and have met the entire approbation of the corporators. And whereas doubt have arisen as to the validity of those acts, and also as to the time for the annual election of Trustees, and as to the number of Trustees to compose the board for the said corporation. And whereas the said corporation hold, and are entitled to a tract of land and a lot in Vernonburgh, which are wholly unproductive, and which it would be for the interest of said corporation to sell. And whereas the present board of Trustees have, with the approbation of the corporators, erected valuable and expensive buildings on a lot of the said corporation, in the city of Savannah, and have not sufficient corporate funds to complete the same and to pay for the said improvements. And whereas the said corporators have petitioned the General Assembly of this State for act to quiet the said doubts, and to enlarge the powers of the said Trustees.

*Sec.-1. Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the acts of the present board of Trustees of the Congregational Church or Meeting House of White Bluff, and of their predecessors in office, and all sales and purchases of corporate property, and all contracts made by them in relation thereto be, and the same are hereby legalised and confirmed.*

*Sec. 2. And be it further enacted by the authority aforesaid, That Patrick Houston, Peter Dowell, Daniel Nungezer, Nathaniel Nungezer, and Mathew Salfner, the present act-*



ing board of Trustees, be confirmed in their office until the first Monday in March, one thousand eight hundred and thirty; and that on that day, and on every first Monday in March thereafter, annually, the members and supporters of the gospel, in the said Church, shall convene at the Church, and there, between the hours of ten and one o'clock, elect five Trustees, who shall hold their offices for one year, and shall have full powers to carry the purposes of the charter of the said corporation into effect.

Sec. 3. *And be it further enacted by the authority aforesaid,* That if, from any unforeseen event, their should be no election held on the first Monday in March, in any year, it shall be lawful for any three freeholders, who are members of the congregation, to call a meeting of the members and supporters of the gospel, in said Church or Meeting House, for the purpose of electing five Trustees, who, when elected, shall hold their offices until the first Monday in March thereafter: *Provided always,* that the said freeholders shall give at least two weeks public notice, by a written advertisement posted up at the said Church or Meeting House, of such intended meeting for the purpose of electing Trustees as aforesaid.

Sec. 4. *And be it further enacted by the authority aforesaid,* That the present board of Trustees, and their successors in office, shall have, and they are hereby invested, with full powers to sell a tract of land, containing fifty acres, and a lot in Vernonburgh, the property of the said corporation, upon such terms as shall appear to be for the benefit of such corporation, and to lay out the money arising from such sale in such manner as shall be for the interest and advantage of said corporation.

Sec. 5. *And be it further enacted by the authority aforesaid,* That the present board of Trustees shall have full power to mortgage, or otherwise pledge, all or any part of the property of the said corporation, to enable them to raise money to pay the debts due by the said corporation, or which shall hereafter be incurred in improving the said property.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to authorise the Governor to issue a grant to the Baptist Church, for a Lot in the town of Columbus, for religious purposes.

Whereas the Commissioners of the town of Columbus have set apart several lots for religious purposes, and the members of the Baptist Church have erected a commodious building on one of them, known as lot A in said town.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That his Excellency the Governor, be, and he is hereby authorised and required, upon application, to issue a grant for said lot, to the Trustees of said Baptist Church, in the said town of Columbus, free of charges, to be held in trust by them, and their successors in office, for the use of said society, for religious purposes.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 18, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to incorporate the Trustees of the Baptist Church, in the town of Warrenton, Warren county.

Whereas a religious society was established in the town of Warrenton, on the eleventh of July last, under the name of "*The Baptist Church at Warrenton.*" And whereas it is necessary that the said Church should be made capable of holding, enjoying, and defending any property that they now have, or may hereafter acquire, by grant, donation, or otherwise—Therefore

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That John Fontaine,*

Henry Lockhart, John G. Winter, John Moore, Joseph Wright, Samuel Gheesling, William Castleberry, Thomas Lockett, and Robert Fleming, Trustees of the Baptist Church, at the town of Warrenton, and their successors in office shall be, and they are hereby declared to be a body corporate, by the name and style of the Trustees of the Baptist Church at Warrenton: and the said John Fontaine, Henry Lockhart, John G. Winter, John Moore, Joseph Wright, Samuel Gheesling, William Castleberry, Thomas Lockett, and Robert Fleming, Trustees as aforesaid, and their successors in office, shall be invested with all manner of property, both real and personal, which they may acquire, or be possessed of by gift, grant or purchase, and all privileges and immunities, whatsoever, which may belong to said Trustees of said Church, or which may hereafter be made or transferred to them, the said Trustees, and their successors in office, to have and to hold the same for the proper use, benefit, and behoof, of the said Baptist Church at Warrenton, and the said Trustees, or their successors in office, in the name and by the style aforesaid, shall be, and they are hereby declared to be capable of suing and being sued, and of using all necessary and legal steps for recovering and defending any property whatever, which they, the said Trustees, of said Church, may hold, claim, or demand.

Sec. 2. *And be it further enacted by the authority aforesaid,* That the above named Trustees shall be allowed to continue in office two years, counting from the second Saturday in November, eighteen hundred and twenty-nine. And at the expiration of two years from the above named date, the male members of the said Baptist Church shall proceed to re-elect by ballot, the same, or nine others, who shall continue in office two years—*Provided*, nevertheless, that no person re-elected resides out of the county. And it shall be the duty of the male members of the said Church, biennially to elect a Board of Trustees, on the second Saturday in November, or as soon thereafter as convenient, and to keep a record of such election, in the regular Church book. And in all elections the Church will always keep in the board a majority of Trustees, who are members of the Baptist Church.

Sec. 3. *And be it further enacted by the authority aforesaid,* That whenever any vacancy shall take place in the Board of Trustees, by removal, death or resignation, the Board of Trustees, or any two members thereof, shall inform the Clerk of the Church in writing, and the Clerk shall lay the same before the said Baptist Church, and immediately, or as

soon thereafter as practicable, the male members shall elect some eligible person, or persons, to fill such vacancy, or vacancies, as may exist in said Board of Trustees.

Sec. 4. *And be it further enacted by the authority aforesaid,* That the said Trustees, or a majority of them, shall have full power and authority to make such bye-laws and ordinances, as may be necessary for the management of the temporal affairs only, of said Church, not repugnant to the laws and constitution of this State; and also to appoint such officers as they may deem necessary for conducting the business of said Board of Trustees.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER.

## DAMAGES.

AN ACT to define and make certain the mode of assessing damages upon the trial of claims of property in the Superior and Inferior Courts in this State.

Whereas doubts have been entertained, whether upon the trial of claims of property, damages should be assessed upon the amount of the execution, or the value of the property claimed, or upon the amount of the claim bond, for remedy whereof:

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and immediately after the passage of this act, upon claims of property,

now pending, or which may be hereafter pending in the Superior or Inferior Courts of this State, where damages shall be found by jury, the said damages shall be assessed upon the whole amount then due upon the execution levied—*Provided*, the value of the property in dispute exceeds the amount of said execution, and upon the value of the property claimed, when the same is less than the amount of the execution levied, any law, usage, or custom to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

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## DEEDS.

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AN ACT to authorise the appointment of Commissioners out of this state to take the acknowledgment of deeds and other instruments of writing, under seal, and to admit the same to record in this state, and also to take affidavits.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor of this state be, and he is hereby authorised to name, appoint, and commission one or more commissioners in each or such of the other States of the United States or the Territories thereof, or the District of Columbia, as he may deem expedient, which commissioners shall continue in office during the pleasure of the Governor, and shall have authority to take acknowledgments and proof of the execution of any deed, mortgage or other conveyance of any lands, tenements, hereditaments, or other property, lying and being in this state, and of any contract, letter of attorney, or any other*

writing, under seal, to be used or recorded, in this state, and such acknowledgment or proof taken or made in the manner directed by the laws of this state, and certified by any one of the said commissioners before whom the same shall be taken or made under his seal, which certificate shall be endorsed on or annexed to the said deed or instrument aforesaid, shall have the same force and effect, and be as good and available in law for all purposes as if the same had been made before a Judge or Justice of Peace in this State.

Sec. 2. *And be it further enacted by the authority aforesaid,* That every commissioner appointed, by virtue of this act, shall have full power and authority to administer an oath or affirmation to any person who shall be willing and desirous to make such oath or affirmation before him, and such affidavit or affirmation, made before such commissioner, shall and is hereby declared to be as good and effectual to all intents and purposes as if taken by any magistrate, resident in this State, and competent to take the same.

Sec. 3. *And be it further enacted by the authority aforesaid,* That every commissioner appointed, as aforesaid, before he shall proceed to perform any duty under and by virtue of this act, shall take and subscribe an oath or affirmation before a Judge of one the Superior Courts of the State, in which such commissioner shall reside, well and faithfully to execute and perform all the duties of such commissioner, under and by virtue of the laws of Georgia, which oath or affirmation shall be filed in the office of the Secretary of State of this State.

Sec. 4. *And be it further enacted,* That all laws, or parts of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

## **DOWER.**

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**AN ACT** to amend the act of the twenty-third December, eighteen hundred twenty-six, to amend the act to enable feme covert to convey their estates, and for confirming and making valid all conveyances and acknowledgments heretofore made by feme coverts, passed the twenty-fourth of April, seventeen hundred and sixty, so far as the same relates to feme coverts conveying their dower, and also to enable the wife to inherit the whole estate of her deceased husband.

Whereas it is provided in the second section of the act of the twenty-third of December, eighteen hundred and twenty-six, "that whenever it shall so happen that any person shall die intestate and without issue, his wife shall inherit the whole estate, both real and personal, of her deceased husband, after paying his just debts." And whereas doubts are entertained of the constitutional validity of said enactment, on account of a want of conformity between the title and the body of the act:

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the said recited second section of the act of eighteen hundred and twenty-six shall be, and it is hereby declared to be in full force and effect, after the passage of this act, so far as the same may affect any case or cases that may hereafter arise.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 21, 1829.

**GEORGE R. GILMER,** Governor.

## **DIVORCES.**

**AN ACT to separate and divorce William M. Grantham, and Rachel his wife.**

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it hereby enacted by the authority of the same, That from and immediately after the passing of this act the matrimonial connection or civil contract of marriage entered into between William M. Grantham, and Rachel his wife, late Rachel Cox, shall be completely annulled, set aside, and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.*

*Sec. 2. And be it further enacted by the authority aforesaid That the said William M. Grantham, and Rachel his wife shall, in future, be held and considered as distinct persons altogether unconnected by any mystical union or civil contract whatever.*

**Read the third time and passed, November 23, 1829.**

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**Read the third time and passed, Dec. 14, 1829.**

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT to separate and divorce Mary Hare and William Hare, her husband.**

*Be it enacted by the Senate of House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the marriage contract heretofore existing*



and entered into between Mary Hare (formerly Mary McGhee,) and Willis Hare, her husband, be, and the same is hereby dissolved and set aside, and that the said Mary and Willis be, and are hereby considered as separate and distinct persons in law, as much so as if no such contract had ever been entered into between them.

Read the third time and passed, December 7, 1829.

WARREN JOURDAN,

Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 17, 1829.

THOMAS STOCKS,

President of the Senate.

AN ACT to separate and divorce William Gann and Polly Gann, his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the matrimonial connection and civil contract between William Gann and Polly Gann, his wife, be as fully and completely dissolved and set aside as if no such civil contract or matrimonial connection had ever taken place between them ; and they, and each of them are from henceforth declared to be single persons, and as completely separated as though they had never been united in the bands of wedlock, any law, usage, or custom to the contrary notwithstanding,*

Read the third and passed, November 23, 1829.

WARREN JOURDAN,

Speaker of the House of Representatives.

Read the third time and passed, Dec. 14, 1829.

THOMAS STOCKS,

President of the Senate.

**AN ACT** to separate and divorce Wilson Conner and Mary Ann Conner, his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority aforesaid, That from and after the passing of this act, the matrimonial connection and civil contract of marriage, made and entered into between the said Wilson Conner and Mary Ann Conner, his wife, be, and the same is hereby annulled, set aside, and dissolved, as fully and effectually as if no such contract had ever been made or entered into between them.*

*Sec. 2. And be it further enacted by the authority aforesaid, That the said Wilson Conner and Mary Ann Conner, his wife, shall be held in future as separate and distinct persons, altogether unconnected by any union and civil contract whatever, at any time heretofore entered into between them.*

Read the third time and passed November 21, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 21, 1829.

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce William Sowell and Milly Sowell, his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the matrimonial connection and civil contract of marriage, made and entered into between the said William Sowell and Milly Sowell, his wife, be, and the same*

is hereby annulled, set aside, and dissolved, as fully and effectually as if no such contract had ever been made or entered into between them.

Sec. 2. *And be it further enacted*, That the said William Sowell and Milly Sowell, his wife, shall be held in future as separate and distinct persons, altogether unconnected by any union or civil contract whatever, at any time heretofore entered into between them.

Read the third time and passed, November 30, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

Read the third time and passed, Dec. 21, 1829.

THOMAS STOCKS,  
President of the Senate.

AN ACT to separate and divorce Cynthia McCravey and David S. McCravey, her husband, and Catharine Cannon and John Cannon, her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority aforesaid*, That the matrimonial connection and civil contract of marriage, made between the said Cynthia McCravey and David S. McCravey, her husband—Catharine Cannon and John Cannon, be, and the same is as completely annulled, set aside, and dissolved, as fully and effectually as if no such contract had been made and entered into between them, any law, usage, or custom, to the contrary notwithstanding.

Read the third time and passed, November 21, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

Read the third time and passed, Dec. 21, 1829.

THOMAS STOCKS,  
President of the Senate.

## DIVORCES.

**AN ACT** to separate and divorce Nathaniel L. Bostick and Sarah J. Bostick, his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, the matrimonial connection and civil contract of marriage, made between the aforesaid Nathaniel L. Bostick and Sarah J. his wife, shall be completely annulled, set aside, and dissolved, as if no such contract had been made and entered into between them.*

**Sec. 2.** *And be it further enacted, That in future the said Nathaniel L. Bostick and Sarah J. his wife shall be deemed and considered as separate and distinct persons, altogether unconnected by any mystical union or civil contract at any time heretofore made between them.*

Read the third time and passed, November 23, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

Read the third time and passed, Dec. 21, 1829.

THOMAS STOCKS,  
President of the Senate.

**AN ACT** to separate and divorce Elizabeth Kenedy and Wm. J. C. Kenedy, her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the matrimonial connection or civil contract of marriage, made between Elizabeth Kenedy and William J. C. Kenedy, her husband, shall be as fully and completely rendered null and void, set aside, and dissolved, as if no such contract had been entered into between them.*

**Sec. 2.** *And be it enacted by the authority aforesaid, That Elizabeth Kenedy and William J. C. Kenedy, her hus-*

## **DIVORCES**

**band, shall, in future, be held as separate and distinct persons, altogether unconnected by any mystical union or civil contract of marriage, heretofore entered into between them, as though the same had never existed.**

**Read the third time and passed, November 23, 1829.**

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**In Senate, read the third time and passed, Dec. 15, 1829.**

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT to separate and divorce Maria Nelson from Ambrose Nelson, her husband.**

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after passage of this act, the matrimonial connection or civil contract of marriage, entered into between Maria Nelson and Ambrose Nelson, her husband, shall be set aside and dissolved, and as completely rendered null and void as if no such contract had ever been made between them.*

*Sec. 2. And be further enacted, That the said Maria Nelson and Ambrose Nelson, her husband, shall, in future, be held and considered as distinct persons, altogether unconnected by any union or civil contract whatever.*

**Read the third time and passed, November 23, 1829.**

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**Read the third time and passed, Dec. 13, 1829.**

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce John McDonald and Flora McDonald, his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, the matrimonial connection or civil contract of marriage, made between John McDonald and Flora McDonald, his wife, shall be as fully and completely annulled, set aside, and dissolved, as if no such contract had ever been or entered into between them.*

**Sec. 2.** *And be it further enacted by the authority aforesaid, That the said John McDonald and Flora McDonald, his wife, shall, in future, be held as separate and distinct persons, altogether unconnected by any mystical union or civil contract whatsoever, heretofore entered into between them.*

**Read the third time and passed, November 23, 1829.**

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**Read the third time and passed, Dec. 21, 1829.**

**THOMAS STOCKS,**  
President of the President.

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**AN ACT** to divorce and separate Seaborn Williams and Martha Williams, his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the matrimonial connection and civil contract of marriage, made and entered into between the said Seaborn Williams and Martha Williams, his wife, shall be, and is hereby annulled, dissolved, and set aside, as fully and effectually as if no such contract had ever been made and entered into between them.*

Sec. 2. *And be it further enacted*, That the said Seaborn Williams and Martha Williams, shall, in future, be held as separate and distinct persons, altogether unconnected by any union or civil contract whatever, heretofore made and entered into between them.

Read the third time and passed, November 12, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Nov. 23, 1829.

THOMAS STOCKS,  
President of the Senate.

AN ACT to separate and divorce Elizabeth Bryan and Elias Bryan, her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and immediately after the passage of this act, the matrimonial contract of marriage, made between Elizabeth Bryan and Elias Bryan, her husband, shall be as fully and completely annulled, set aside and dissolved, as if no such contract had been entered into between them.

Sec. 2. *And be it further enacted by the authority aforesaid*, That the said Elizabeth Bryan and Elias Bryan, her husband, shall, in future, be held as separate and distinct persons, altogether unconnected by any mystical union or civil contract whatsoever, heretofore entered in between them.

Read the third time and passed, November 23, 1829.

WARREN JOURDAN,  
Speaker of the House Representatives.

In Senate, read the third time and passed, Dec. 15, 1829.

THOMAS STOCKS,  
President of the Senate.

## DIVORCES.

AN ACT to separate and divorce Henry S. Gaines and Mary Gaines his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the matrimonial connection or civil contract of marriage, made and entered into heretofore, between Henry S. Gaines and Mary, his wife, shall be completely annulled set aside and made void, as fully and as effectually as if no such contract had ever been made and entered into between them.*

Sec. 2. *And be it further enacted, That the said Henry S. Gaines and Mary Gaines, his wife, shall, in future, be held and considered as separate and distinct persons, altogether unconnected by any mystical union or civil contract whatever, at any time heretofore made and entered into between them.*

Read the third time and passed Dec. 14. 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 18, 1829.

THOMAS STOCKS,  
President of the Senate.

AN ACT to separate and divorce Elizabeth Bell and Thomas Bell her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the matrimonial connexion or civil contract of Marriage, between Elizabeth Bell and Thomas Bell her husband, shall be completely annulled, set*



aside and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.

Sec. 2. *And be it further enacted*, That the said Elizabeth Bell and Thomas Bell, shall in future be held as distinct and separate persons—altogether unconnected by any mystical union or civil contract whatever.

Read the third time and passed, Nov. 12, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 17, 1829.

THOMAS STOCKS,  
President of the Senate.

AN ACT to separate and divorce Rachael Williamson and her husband Lilbourn Williamson.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of act, the matrimonial connection, or civil contract of marriage, made between Rachael Williamson and her husband Lilbourn Williamson, shall be as fully and completely rendered null and void, set aside and dissolved, as if no such contract had ever been entered into between them.

Sec. 2. *And be it further enacted, &c.* That the said Rachael Williamson and Lilbourn Williamson her husband, shall in future be held as separate and distinct persons, altogether unconnected, by any union or civil contract of marriage heretofore entered into between them, as though the same had never existed.

Read the third time and passed, Nov. 26, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 15, 1829.

THOMAS STOCKS,  
President of the Senate.

**AN ACT** to separate and divorce Caroline E. Dick and James Dick her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the matrimonial connection, or civil contract of Marriage, between the aforesaid Caroline E. Dick, formerly Caroline E. Williams, and James Dick, shall be completely annulled, set aside, and dissolved as fully and effectually as if no such contract had ever been made and entered into between them.

**Sec. 2.** *And be it further enacted,* That the said Caroline E. Dick and James Dick shall in future be held as distinct and separate persons altogether unconnected by any mystical union or civil contract whatsoever, heretofore entered into between them.

**Sec. 3.** *And be it further enacted,* That nothing herein contained shall tend to render illegitimate, the issue of the said marriage heretofore born; but that the same shall be considered legitimate, any thing here in contained to the contrary notwithstanding.

Read the third time and passed, Nov. 11, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 9, 1829.

**THOMAS STOCKS,**  
President of the Senate.

AN ACT to separate and divorce Hamutal McCollum from Joseph McCollum Junior, her husband, and to restore to her the name and the rights which she had prior to her marriage to the said Joseph McCollum.

*Whereas*, Joseph McCollum Junior, and Hamutal Johnson, both of the State of Georgia, were on the fifth day of February, eighteen hundred and twenty-six, married in due and lawful form,

*And whereas*, the said Hamutal Johnson, alias McCollum, hath according to the prescribed form of the constitution, sued for, and obtained a verdict for a divorce from the said Joseph McCollum Junior.

*And whereas* also, it is meet and just, that the said marriage, or pretended marriage between the said Joseph and Hamutal, be made null, void, and of no effect in law, and that the said Hamutal have restored to her the name and rights which she had, prior to such, the said marriage or pretended marriage. Therefore,

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the said pretended marriage between Joseph McCollum junior, and Hamutal McCollum, be, and the same is hereby declared to be null and void, ab initio, and of no effect in law, and that the said Hamutal McCollum be, and she is hereby divorced from the said Joseph McCollum junior, by a complete and absolute divorce a vinculo matrimonii.

**Sec. 2.** *And be it further enacted*, That from and after the passage of this act, the said Hamutal McCollum, be known in law, by the name of Hamutal Johnson, being her name prior to such, her said marriage, or pretended marriage, and that she be entitled to all the rights which she may have had prior to such, her said marriage or pretended marriage, to the said Joseph McCollum junior.

Read the third time and passed, Nov. 23, 1829.

WARREN JOURDAN,

Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 15, 1829.

THOMAS STOCKS,

President of the Senate.

AN ACT to divorce and separate Polly Thompson and John W. Thompson her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from, and immediately after the passage of this act, the matrimonial connection, or civil contract of marriage, made between Polly Thompson and John W. Thompson her husband, shall be, and is hereby completely annulled, set aside and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.*

Sec. 2. *And be it further enacted, That the said Polly Thompson and John W. Thompson her husband, shall in future be held as separate and distinct persons, altogether unconnected by any mystical union, or civil contract whatever, at any time heretofore made, or entered into between them, and that the said Polly Thompson be competent to contract in all things as an unmarried woman.*

Read the third time and passed, Dec. 1, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 15, 1829.

THOMAS STOCKS,  
President of the Senate.

AN ACT to separate and divorce Joseph Grizzle and Matilda Grizzle his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act the matrimonial connection or civil contract of marriage, made between Jo-*

seph Grizzle and Matilda Grizzle his wife, shall be, and is hereby completely annulled, set aside and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.

*Sec. 2. And be it further enacted,* That the said Joseph Grizzle and Matilda Grizzle his wife, shall in future be held as separate and distinct persons, altogether unconnected by any union or civil contract whatsoever, at any time heretofore made, and entered into by, or between them.

Read the third time and passed, Nov. 26, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 17, 1829.

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce Abraham Brown and his wife Betsey Brown.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the matrimonial connection, or civil contract of marriage made, and entered into between Abraham Brown and Betsey Brown his wife, shall be, and the same is completely annulled, set aside and dissolved as fully and effectually, as if no such contract had ever been entered into between them.

*Sec. 2. And be it further enacted,* That the said Abraham Brown and Betsey Brown his wife, shall in future be held,

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as separate and distinct persons, altogether unconnected by any union or civil contract whatever, at any time heretofore made or entered into between them.

Read the third time and passed, Nov. 19, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 18, 1829.

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce James Lloyd and Bythena Lloyd his wife.

*Be it enacted by the Senate and House of Representative of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the marriage contract heretofore made and entered into between James Lloyd and Bythena Lloyd his wife, be, and the same is hereby dissolved and set aside, and that they be considered separate and distinct persons in law, as if no such contract had ever existed between them.*

Read the third time and passed, Dec, 9, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 17, 1829.

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce Stacy Gregory and Green A. Gregory her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the matrimonial contract heretofore made and entered into between Stacy Gregory and Green A. Gregory her husband, shall be null and void.*

Sec. 2. *And be it further enacted, That the said Stacy Gregory and Green A. Gregory, shall in future be held separate and distinct persons in law, as fully and as completely as though said contract never existed.*

Read the third time and passed, Dec. 17, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 21, 1829.

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce Rachel Fairchild and William Fairchild her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the matrimonial connection and civil contract of marriage made between the said Rachel Fairchild and William Fairchild her husband, shall be annulled, set aside, and as fully dissolved to all in-*

## DIVORCES.

tents and purposes, as if no such contract had been made and entered into between them—any law to the contrary notwithstanding.

Read the third time and passed, Nov. 23, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 15, 1829.

THOMAS STOCKS,  
President of the Senate.

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AN ACT to separate and divorce Eliza Fortson and William Fortson her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the matrimonial connection and civil contract of marriage between Eliza Fortson and William Fortson her husband be, and the same is hereby set aside, and rendered null and void, to all intents and purposes, as though no such connection or contract had ever existed—any law, usage, or custom to the contrary notwithstanding.*

Read the third time and passed, Nov. 30, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 18, 1829.

THOMAS STOCKS,  
President of the Senate.



**AN ACT** to separate and divorce Ann Barron and James Barron her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the matrimonial connection or civil contract of marriage, made and entered into between Ann Barron and James Barron her husband, shall be, and the same is hereby completely annulled, set aside, and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.*

**Sec. 2.** *And be it further enacted, That the said Ann Barron and her husband James Barron shall be held in future, as separate and distinct persons, altogether unconnected by any union or civil contract whatever, at any time heretofore made and entered into by or between them.*

Read the third time and passed, Nov. 16, 1829.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 18, 1829.

**THOMAS STOCKS,**  
President of the Senate.

**AN ACT** to separate and divorce Jane Pool and Julman R. C. Pool, her husband.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority aforesaid That from and immediately after the passage of this act, the matrimonial connexion, or civil contract of marriage, made and entered into between Jane Pool and Julman R. C. Pool her husband*

shall be, and is hereby completely annulled, set aside and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.

*Sec. 2. And be it further enacted,* That the said Jane Pool and Julian R. C. Pool her husband, shall be held in future, as separate and distinct persons, altogether unconnected by any union or civil contract whatever, at any time heretofore made and entered into by, or between them.

Read the third time and passed, Nov. 24, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 15, 1829.

THOMAS STOCKS,  
President of the Senate.

**AN ACT** to separate and divorce John Garrett and Elizabeth Garrett his wife.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and immediately after the passage of this act, the matrimonial connection or civil contract of marriage, entered into between John Garrett and Elizabeth Garrett his wife, shall be, and is hereby completely annulled, set aside, and dissolved as if no such contract had ever been made and entered into between them.

*Sec. 2. And be it further enacted,* That the said John Garrett and Elizabeth Garrett his wife, shall in future be held as separate and distinct persons, altogether unconnected.

## EXECUTIONS.

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by any mystical union or civil contract whatsoever, at any time heretofore made and entered into with them.

Read the third time and passed, Nov. 23, 1829.

WARREN JOURDAN,  
Speaker of the House of Representatives.

In Senate, read the third time and passed, Dec. 14, 1829.

THOMAS STOCKS,  
President of the Senate.

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## EXECUTIONS.

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AN ACT. to authorise the assignment and transfer of judgments and executions, and to make certain and uniform the practice with regard to the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall, and may be lawful, for the plaintiff in any judgment or execution, to sell or transfer the same by written assignment or control, and said sale or assignment, shall not be considered a discharge or satisfaction of said execution; but the assignee may proceed to collect the same for his own use and benefit, in as full and ample a manner as the plaintiff could have done if no such transfer or assignment had been made.*

Sec. 2. *And be it further enacted, That nothing in this act contained shall be construed as to authorise the collec-*

tion of any execution which may have been paid off by the defendant or his agent and kept open for the purpose of defrauding other creditors.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

## ELECTIONS.

AN ACT to establish election districts in the county of Twiggs, and to punish those who may attempt to defeat the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the general election for Governor, members to Congress, members of the Legislature, and county officers and Electors to be held at the places herein after named : At the house of James Garritt's, or the place of holding Justices Courts in captain Oliver's district, in said county : at the house of John Anglin, or place of holding Justices courts in captain Samuel Streetmans district, in said county : at the house of Hartwell H. Tarver's, or place of holding Justices courts in captain Dean's district, in said county : and at the house of Benj. B. Smith's, or place of holding Justices courts in captain Bostick's district in said county of Twiggs, and at the court house of said county.*

*Sec. 2. And be it further enacted, That one Justice of the Inferior court, or Justice of the peace and two freeholders, may superintend the elections in said districts, after the*

freeholders have taken the following oath: "I do solemnly swear or affirm that I will faithfully superintend this days election and make a true return thereof according to law, and the best of my ability—so help me God."

Sec. 3. *And be it further enacted*, That the superintendants of said district elections, shall and they are hereby required on the day of said election, to count out the ballots by them taken in, and make a fair statement of the polls, and one or more of the superintendants of said elections, shall meet one or more of the superintendants of the election held at the court-house in said county; and there compare and add the returns or votes together and transmit a true statement of the same to the executive office agreeable to the laws of this State now in force.

Sec. 4. *And be it further enacted*, That if any person shall vote at more than one place in said county for the same election, or if any magistrate or superintendant of said district elections, shall violate the trust confided to him by this act, such persons or magistrates shall be deemed guilty of a high misdemeanor, and on conviction thereof before the superior court of said county, shall be liable to a fine of fifty dollars, or be imprisoned at the discretion of the court, for a time not exceeding ten days in the common jail of said county.

Sec. 5. *And be it further enacted*, That the place of the Sheriff or his deputy, may be supplied by any lawful constable at said district elections, and that said district elections shall in all other respects than those herein recited be conducted in the same manner, and at the same time as is prescribed by the laws now in force in this State, regulating general elections.

Sec. 6. *And be it further enacted*, that all laws and parts of laws militating against this act be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

## ELECTIONS.

**AN ACT** to establish two additional election districts in the county of Walton, and to change one in the county of Wilkes.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and immediately after the passage of this act, it shall, and may be lawful to hold all elections, for Governor, Electors of President and Vice-President of the United States, members to Congress, members to the Legislature, and for all county and regimental officers, at the Social Circle and at the house of Thomas Patterson, in the county of Walton.

**Sec. 2** *And be it further enacted,* That one Justice of the peace or one Justice of the Inferior court and two free holders, may superintend all elections in said districts, after the said freeholders having taken an oath faithfully and impartially to superintend the same, and make a true return thereof according to law.

**Sec. 3.** *And be it further enacted,* That the superintendants shall, and they are hereby required on the day of said election to count all the votes by them taken in, and make a fair statement of the polls; and one or more of the superintendants of each of said district elections, shall meet one or more of the superintendants from each of the other districts, or places of holding elections, on the next day after said election, which meeting shall be held at the courthouse in said county, and there add and compare the several returns of the votes together, and transmit a true statement of the same to the Executive office agreeable to the laws of this State now in force.

**Sec. 4.** *And be it further enacted,* That if any person shall vote, or attempt to vote at more than one place in said county for the same election, or if any magistrate or superintendant of any of said district elections, shall violate the trust to them committed by this act, such person or magistrate shall be deemed guilty of a high crime or misdemeanor, and on conviction thereof before the superior court of said county, shall be fined in a sum not exceeding fifty dollars, or imprisoned at the discretion of the court for time not exceeding ten days.

Sec. 5. *And be it further enacted*, That the place of the Sheriff or his deputy may be supplied by any lawful constable at any of said district elections, and that in all other respects, the said district elections shall be held and conducted in the same manner, and at the same times as is prescribed by the laws of this State, regulating elections—any law or parts of laws to the contrary notwithstanding.

Sec. 6. *And be it further enacted*, That from and after the passage of this act it shall and may be lawful to hold Elections at the house of Thomas Halliday, in the county of Wilkes instead of the house of Richardson Brooks, as now established by law, for members of Congress, electors of President and Vice-President, members of the State Legislature, Governor, and for all county officers; which elections shall be held at the times pointed out by the law, and superintended in the manner, pointed out in the act, establishing election districts in the county of Wilkes,—any person or persons violating the provisions of said act, shall be subject to all the pains and penalties therein expressed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to repeal so much of an act passed the 20th day of December, eighteen hundred and twenty-eight, establishing three additional election districts in the county of Meriwether, so far as authorises the holding elections at the house of Mr. Hudson, on lot No. 127, in the 10th district of formerly Troup, now Meriwether county—And to authorise the holding elections at the house of Daniel Hurd, in said district.

*Whereas* the above recited act so far as regards holding said precinct election does not answer the convenience intended—for remedy whereof,

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, so much of the above recited act as authorises the holding elections at Mr. Hudsons be, and the same is hereby repealed.*

*And be it further enacted by the authority aforesaid, That all elections authorised by that part of the before recited act, shall hereafter be held at the house now occupied by Daniel Hurd in the tenth district of formerly Troup, now Meriwether county, under the same rules and restrictions as provided in the above recited act—any law to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.  
Assented to, Dec. 22, 1829.  
GEORGE R. GILMER, Governor.

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**AN ACT** to amend an act, passed the twentieth day of Dec. eighteen hundred and twenty-three, to regulate the general elections in this State, and to appoint the time of the meeting of the General Assembly, so far as the same requires all elections to be held at the places of holding the superior courts, so far as respects the county of Habersham.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, that one of the places of holding the elections in the county of Habersham, shall be at the place of holding the Justices court in captain Richeson's militia district on Lot number fifty-six, in the third district in said county, in place of the house of Edward Williams in the third district of the county aforesaid.*



Sec. 2. *And be it further enacted*, That the elections held at the above stated place, shall be conducted in the same manner as is prescribed by the before recited act—any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.  
Assented to, Dec. 19, 1829.  
GEORGE R. GILMER, Governor.

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AN ACT to establish and regulate district elections in the county of Marion.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That from, and after the passage of this act, it shall, and may be lawful for the citizens of Marion county to vote for electors of President and Vice-President, members of Congress, Governor, members of the Legislature, and all county officers, at the following places in said county to wit: At the house of Samuel Brewer, in captain Walker's district: at the house of Clark Sanders', in captain Blockers district: at the house of Robert Green, in captain Underwood's district: and at the place of holding the superior courts in said county.

Sec. 2. *And be it further enacted*, That one Justice of the inferior court, or one Justice of the peace and two free holders, shall, and may be competent to superintend said elections—said free holders first taking the following oath before any Justice of the inferior court or Justice of the peace, to wit: I, A. B. do solemnly swear that I will faithfully and impartially superintend this days election, and make a just and true return thereof to the best of my abilities, so help me God.

Sec. 3. *And be it further enacted*, That one or more of said superintendents from the several precincts, shall meet

at the court-house, or place of holding courts, on the day succeeding such elections, and then compare the several returns, and certify to the Governor the persons elected.

Sec. 4. *And be it further enacted*, That any person or persons voting, or attempting to vote, at more than one place on the same day, shall pay a fine not exceeding one hundred dollars, and be imprisoned at the discretion of the court.

Sec. 5. *And be it further enacted*, That the place of the Sheriff at said elections may be supplied by any lawful constable—any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to establish election precincts in the county of Campbell, and to regulate the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, all elections hereafter held in the county of Campbell, for Governor, Representatives to Congress, for members of the General Assembly, for Electors of President and Vice-President, and for all county officers, may, and shall be held at Campbellton, at the house of Ingram Bass in the fourth district—at the house of Tunison Correll, in the first district—and at the house of William Morgan, in the eighth district.

Sec. 2. *And be it further enacted*, That one justice of the peace, or justice of the inferior court, and two freeholders, may superintend said election, after said freeholders shall have taken the following oath:—I do solemnly swear (or affirm as the case may be) that I will faithfully superintend

## ELECTIONS.

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this day's election, and make a just and true return thereof, according to law, and to the best of my ability—So help me God.

Sec. 3. *And be it further enacted*, That the superintendents of said election, shall, on the day of election, count out the ballots by them taken, and make a fair and correct statement of the polls, and one or more of the said superintendents, from each precincts, shall meet the superintendents who shall have presided at the election at Campbellton, at the latter place, on the next day after said election, and they shall there and then compare and add the several returns or votes together, and certify the same to his Excellency the Governor, agreeably to the laws of this State, now in force.

Sec. 4. *And be it further enacted*, That if any person shall vote at more than one of said places of election, for any of the respective candidates, at the same election, such person shall be guilty of a misdemeanor, and subject to indictment in the superior court of said county, and on conviction, shall be fined in a sum not exceeding fifty dollars, and imprisoned not exceeding ten days.

Sec. 5. *And be it further enacted*, That the place of the Sheriff or his Deputy may be supplied at said precincts, during said election, by any lawful constable of said county; and that the said election shall, in all other respects than those herein recited, be in the same manner, and at the same time as is prescribed by the laws now in force regulating general and county elections.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to establish an election district in the county of Putnam, and to regulate the elections to be held therein.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same,* That from and immediately after the passage of this act, it shall and may be lawful for elections for Governor, Electors for President and Vice-President of the United States, Representatives to Congress, members of the Legislature, and county officers, to be held at Stanford's Cross Roads, in said county, and also at the court-house in the town of Eatonton.

Sec. 2. *And be it further enacted,* That one justice of the peace, or one justice of the inferior court of said county, and two freeholders, may superintend the elections at said Cross Roads, after said freeholders shall have taken the following oath, which any judge of the superior, judge of the inferior court, or justice of the peace shall have power to administer:—I do solemnly swear or affirm, that I will faithfully superintend this day's election, and make a just and true return thereof, according to law, and the best of my ability—So help me God.

Sec. 3. *And be it further enacted,* That the superintendents of said elections, so to be held at said Cross Roads, shall be, and they are hereby required, on the day of said election, to count out the ballots by them taken in, and make a fair statement of the polls, and one or more of the superintendents of every election, so to be held, to meet the superintendents of every election, so to be held at the Court-house in the town of Eatonton, on the day next after the election, and there compare and add the returns or votes together, and transmit a true statement of the same to the appropriate office, agreeable to the laws of this State, now in force.

Sec. 4. *And be it further enacted,* That if any person shall vote at more than one place in said county, the same day, or if any superintendent of said district election shall violate the trust confided to him by this act, such person or superintendent shall be guilty of a misdemeanor, and upon conviction thereof, before the superior court, shall be fined in a sum of fifty dollars, and may be imprisoned at the discretion of the court.

Sec. 5. *And be it further enacted*, That at any election, so to be held, at said Cross Roads, the place of the Sheriff or his Deputy may be supplied by any lawful constable of said county, and that in all other respects the election, so to be held at said Cross Roads, shall be conducted in the same manner, and held at the same time, as is prescribed by the laws now in force in this State, regulating elections.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to establish an additional election district in the county of Pike, and to repeal so much of the second section of an act, entitled an act, to establish and regulate district elections in the counties of Early, Lee and Pike; as relates to holding elections at the house of Mr. Johnson, in the seventh district of the county of Pike.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That from and immediately after the passage of this act, all elections for Governor, members of Congress, members of the Legislature, electors to vote for President and Vice-President of the United States, and all county officers, shall, and may be held at the house of Gideon and Jourdan Barnes, the place of holding muster and Justices courts, in the seventh district of originally Monroe, now Pike county.

Sec. 2. *And be it further enacted*, That to so much of the second section of an act, passed on the twenty-fourth day of December, eighteen hundred and twenty-seven, entitled an act to establish and regulate district elections in the counties of Early, Lee and Pike, as authorises elections to be

held at the house of Mr. Johnson, in the seventh district of said county of Pike, be, and the same is hereby repealed.

Sec. 3. *And be it further enacted*, That the elections hereafter to be held at the house of the said Gideon and Jourdan Barnes, in the seventh district of the said county of Pike, shall and may be held under the same rules and regulations as are pointed in the third, fourth, fifth and sixth sections of the before recited act, passed on the twenty-fourth day of December, eighteen hundred and twenty-seven, any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec, 19, 1829.

GEORGE R. GILMER, Governor.

#### AN ACT to add an additional Election District in the county of Glynn.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, it may and shall be lawful for all elections for members of Congress, for Governor, for members of the State Legislature, and for all other state and county officers, to be held at Huston's Church, in the county of Glynn.

Sec. 2. *Be it further enacted*, That the elections so held, shall be conducted under the same rules and regulations as are prescribed in the act regulating election districts in the said county, passed the twenty-fifth day of November, eighteen hundred and twenty-five, any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT to establish an Election District in the first district of the county of Dooly.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the General Elections for Representatives to Congress and Electors to elect the President and Vice President, and for members of the State Legislature, for Governor, and for all county officers, so far as respects the county of Dooly, may and shall be held at the Court-house as heretofore, and also at the place of holding the Justice's court, in the first district of said county.

Sec. 2. *And be it further enacted,* That one Justice of the Peace, or one Justice of the Inferior Court and two Freeholders, may attend said election at the last mentioned place, after said freeholders shall have taken the following oath, to wit: I do solemnly swear or affirm, that I will faithfully superintend this day's election and make a just and true return thereof, according to law, and the best of my ability—So help me God.

Sec. 3. *And be it further enacted,* That the superintenders of said election district, shall, and they are hereby required, on the day of the election aforesaid, to count out the votes by them taken in, and make a fair and correct statement of the polls, and one or more of the superintendents, or the magistrate from said district, shall meet the magistrates who shall have presided at the election at the court-house, which meeting shall take place at said court-house on the next day after said election, and they shall then and there compare and add the several returns or votes together, and certify to his Excellency the Governor, the person or persons so elected, agreeable to the laws of this state.

Sec. 4. *And be it further enacted,* That if any person shall vote at more than one of said places of election for any of the respective candidates at the same election, or if any magistrate or freeholders, presiding at such election, shall violate the trust confided to him by this act, such person, or magistrate or freeholder, shall be deemed guilty of a high misdemeanor, and shall, on conviction thereof, before the superior court of said county, be fined in a sum of fifty dollars and be imprisoned at the discretion of the court, for a term not exceeding ten days.

Sec. 5. *And be it further enacted*, That when any doubt shall be suggested as to the legality of the vote offered, it shall be the duty of the superintendents to administer, in addition to the oath prescribed by law, the following oath, to wit :—I do solemnly swear or affirm, that I have not this day voted at any election for Senator, Representative, Governor, Member of Congress, or Electors for President or Vice-President, or any county officer—So help me God.

Sec. 6. *And be it further enacted*, That the place of the Sheriff or his Deputy may be supplied, at said election district, during said election, by any lawful constable ; and the said election shall, in all other respects, than those herein recited, be conducted in the same manner, and at the same time as is prescribed by the laws now in force regulating general and county elections.

Sec. 7. *And be it further enacted*, That all laws, and parts of laws, militating against this act be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to alter and amend the several acts relating to election districts in the county of Burke.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the first day of February next, so much of an act to alter and amend an act passed the twenty-fourth day of December, one thousand eight hundred and twenty-five, entitled an act establishing battalion election districts in the county of Burke,



as requires that certain elections, therein mentioned, shall be holden at the different places of holding justice's courts in each captain's district in said county, be, and the same is hereby repealed, so far as it relates to districts numbers sixty, sixty-three, seventy-three, seventy-four, and seventy-five.

Sec. 2. *And be it further enacted*, That from and after the said first day of February next, it shall and may be lawful to hold all elections at the place of holding battalion musters, in the seventeenth battalion, in the said county, under the same rules and regulations, and subject to the same restrictions as are provided by law in other election districts in said county.

Sec. 3. *And be it further enacted*, That so much of the above recited acts as militate against this act, be, and the same is hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to establish an additional election district in the county of Decatur.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, there shall be established an additional election district in the county of Decatur, at the house of John Emanuels, in said county, at which place it is hereby made legal for all persons entitled to vote for members of the General Assembly, in said county, for Representatives from this State in the Congress of the United States, for members of the Legislature, Electors to elect the President and Vice-President of the United States, Governor of this State, and all county officers, which election shall be held and conducted

under the same rules and regulations, and penalties, as are prescribed by law, all laws, or parts of laws, to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to establish and regulate election districts in the counties of Wilkinson, Randolph and Carroll, and to punish those who may attempt to defeat the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and after the first Monday in January next, it shall and may be lawful to hold all elections for Governor, members to Congress, Electors of President and Vice-President of the United States, members of the Legislature, and for all county officers, at the place of holding justice's courts in Captain Seales's district—at the place of holding justice's courts in Captain Smith's district—at the place of holding justice's courts in Captain Griffin's district—at the place of holding justice's courts in Captain Bloodworth's district—and at the court-house in Irwinton, in Wilkinson county.*

*Sec. 2. And be it further enacted, That there shall be two election districts laid out in the county of Carroll—one to be held at the house where John Griswold now lives, and one at the store-house now occupied by Roddy & Ninney, and that all elections held at said mentioned places shall be governed and conducted under the same rules, regulations, and restrictions, as elections held at the other places of holding elections in said county. And in the county of Randolph, at the following places, viz: Captains Moore's, Mosley's, Parker's, and Watley's districts—and at the court-house in said county.*

Sec. 3. *And be it further enacted*, That so much of an act passed in the year eighteen hundred and twenty-seven, laying out election districts in the county of Carroll, as relates to one place of holding elections for said county, to be at McIntosh's Reserve, be, and the same is hereby repealed—*Provided*, nothing herein contained shall be construed to take effect until the first day of February, eighteen hundred and thirty, any law, usage, or custom to the contrary notwithstanding.

Sec. 4. *And be it further enacted*, That one justice of the peace, or justice of the inferior court, and two freeholders, may superintend the elections in said districts, after the said freeholders shall have taken the following oath:—I do solemnly swear that I will faithfully and impartially superintend this day's election, and make a full and true return thereof, according to law, and the best of my ability—So help me God.

Sec. 5. *And be it further enacted*, That the superintendents of said elections shall, and they are hereby required, on the day of said election, to count out all the votes by them taken in, and make a fair statement of the polls, and one or more of the superintendents of said district elections shall meet one or more of the superintendents from each of the other districts and places of holding elections, on the next day after said election, which meeting shall be at the court-house, and then add and compare the several returns of the votes together, and transmit a true statement of the same to the Executive office, agreeable to the laws of this State, now in force.

Sec. 6. *And be it further enacted*, That if any person shall vote, or attempt to vote, at more than one place in said county, for the same election, or if any magistrate or superintendent of any said district elections shall violate the trust to them committed by this act, such person or magistrate shall be deemed guilty of a high misdemeanor, and on conviction thereof, before the superior courts of said counties, shall be fined in a sum not exceeding one hundred dollars, or imprisonment in the common jail of the county, at the discretion of the court, for a time not exceeding ninety days.

Sec. 7. *And be it further enacted*, That the place of the Sheriff or his Deputy may be supplied by any lawful constable at said district elections, and the said district elections shall, in all other respects, be held and conducted in the same manner, and at the same times, as is prescribed by

## ELECTIONS.

the laws of this State, now in force, regulating elections, any law to the contrary notwithstanding.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

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**AN ACT** to estalish an additional election district in the county of Harris.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, there shall be established an additional electoral district in the county of Harris, at the house of Charles Phillips, in the eighteenth district of said county, at which place it is hereby made legal for all persons entitled to vote for members of the General Assembly of this State, in said county, to vote at the aforesaid place for Representatives from this State in the Congress of the United States, members of the Legislature, Electors to elect the President and Vice-President of the United States, Governor of this State, and all county officers; which election shall be held and conducted under the same rules, regulations and penalties as are prescribed by an act passed December the sixteenth, eighteen hundred and twenty-eight, to govern the electoral district at the house of Joseph Whiticers, in the twentieth district of said county, and the town of Hamilton—all laws, or parts of laws, to the contrary notwithstanding.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the President.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to establish and regulate election districts in the county of Jasper, and to punish those who may attempt to defeat the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first Monday in January next, it shall be lawful to hold elections for Governor, members to Congress, Electors of President and Vice-President, members to the Legislature, and all county officers, at the house of Thomas Smith, in E. Dodson's district, and at the house of John B. Slaughter, in Captain Barnett's district, in said county.*

*Sec. 2. And be it further enacted, That one justice of the peace, or a justice of the inferior court, and two freeholders, may superintend the elections in said districts, after the said freeholders shall have taken the following oath:—I do solemnly swear that I will faithfully and impartially superintend this day's election, and make a full and fair return thereof, according to law, and the best of my abilities—So help me God.*

*Sec. 3. And be it further enacted, That the superintendents of said district elections shall, and they are hereby required, on the day of said elections, to count out the votes by them taken in, and make a fair statement of the polls, and one or more of the superintendents of said district elections, shall meet, the superintendents of the election held in Monticello, in said county, on the day after the election, and there compare and consolidate the returns of votes, and transmit a true statement of the same to the Executive office, agreeable to the laws of the State, now in force.*

*Sec. 4. And be further enacted, That if any person shall vote, or attempt to vote, at more than one place in said county, for the same election, or if any magistrate or superintendent of said district election shall violate the trust to him committed by this act, such person or magistrate shall be deemed guilty of a high misdemeanor, and on conviction thereof, before the superior court of said county, shall be fined fifty dollars, or be imprisoned at the discretion of the court, for a term not exceeding ten days.*

*Sec. 5. And be it further enacted, That the place of the Sheriff or his Deputy may be supplied by any lawful constable.*

ble at said district elections, and that said district elections shall, in all other respects, than those herein recited, be conducted in the same manner, and at the same time, as is prescribed by the law, now in force in this State, regulating general elections.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to repeal an act passed December nineteenth, eighteen hundred and twenty-seven, establishing an additional place of holding elections in the county of Tattnall, and to require all elections to be held at the new court-house, in said county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met; and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, all elections for Governor and for members of Congress, and all county and state officers that the citizens of said county are entitled to vote for, shall be held and conducted at the new court-house, in said county, in the manner already pointed out by law, regulating the general elections of the State, any law, or parts of laws, to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 3, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to alter and change an act entitled an act to establish election districts in the county of Lowndes, so far as to authorise an additional number of election districts in said county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met; and it is hereby enacted by the authority of the same,* That from and after the first Monday in January next, that elections for Governor, members of the Legislature, members of Congress, Electors to vote for President and Vice-President of the United States, and county officers, and militia officers, in the aforesaid county, shall, and may be held at the following places, to wit: at the house of Jesse Goodmans, the place of holding justice's courts in Captain Williams' district—at the house of Sion Halls, the place of holding justice's courts in Captain Pike's district, at the house of John Townsend's, the place of holding Justices Courts in Captain Studstill's district—at the house of Levi Knights, the place of holding justice's courts in Captain Knight's district—at the house of Lewis Roberts, the place of holding justice's courts in Captain Johnston's district—and at the House of Mr. Davis, in Captain Cowart's district.

Sec. 2. *And be it further enacted by the authority aforesaid,* That one justice of the inferior court, or justice of the peace, and two freeholders, shall and may be competent to superintend said elections, said freeholders first taking the following oath before a justice of the inferior court, or justice of the peace, to wit:—**I, A. B.** do solemnly swear that I will faithfully and impartially superintend this day's election, and make a just and true return thereof, to the best of my abilities—So help me God.

Sec. 3. *And be it further enacted by the authority aforesaid,* That one or more of the superintendents from the several precincts, shall meet at the court-house on the day succeeding said elections, and there compare the several returns, and certify to his Excellency the person or persons so elected.

Sec. 4. *And be it further enacted by the authority aforesaid,* That the justices superintending the elections at the court-house, shall close the polls at the usual hour prescribed by law, & proceed to count out the votes, but shall not certify the person or person elected till twelve o'clock the next day, by which time the superintendents from the precincts shall meet to compare the votes taken by them.

Sec. 5. *And be it further enacted by the authority aforesaid,* That any person or persons, voting, or attempting to vote, at more than one place, on the same day, shall pay a fine of thirty dollars, recoverable by any court having competent jurisdiction of the same.

Sec. 6. *And be it further enacted by the authority aforesaid,* That the place of the Sheriff, at said elections, may be supplied by any lawful constable, any law to the contrary notwithstanding.

Sec. 7. *And be it further enacted by the authority aforesaid,* That all laws, or parts of laws, militating against this act, be, and the same are hereby, repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 3, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to establish election districts in the county of Muscogee, and punish those who may attempt to defeat the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, it shall and may be lawful for general elections for Governor, members to Congress, Electors for President and Vice-President of the United States, members of the Legislature, and county officers, to be held at the place of holding justice's courts, on lot number fifty-five, in the sixth district, and at Manning's mill in the tenth district of said county, and at the court-house in the town of Columbus.

Sec. 2. *And be it further enacted,* That one justice of the peace, or one justice of the inferior court, and two freeholders, may superintend the elections in said districts, after



the said freeholders have taken the following oath:—I do solemnly swear that I will faithfully superintend this day's election, and make a just and true return thereof, according to law, and the best of my abilities—So help me God.

Sec. 3. *And be it further enacted,* That the superintendents of said district elections shall, and they are hereby required, on the day of said elections, to count out the ballots by them taken in, and make a fair statement of the polls, and one or more of the superintendents of said districts shall meet one or more of the superintendents of the election held at the courthouse in said county, on the day after the election, and there compare and add the returns of votes together, and transmit a true statement of the same to the Executive office, agreeable to the laws of the State, now in force.

Sec. 4. *And be it further enacted,* That if any person shall vote, or attempt to vote, at more than one place in said county, for the same election, or if any magistrate or superintendent of any of said district elections shall violate the trust to them committed by this act, such person or magistrate shall be deemed guilty of a high misdemeanor, and on conviction thereof, before the superior court of said county, shall be fined in a sum not exceeding fifty dollars, or imprisoned at the discretion of the court, for a term not exceeding twenty days.

Sec. 5. *And be it further enacted,* That the place of the Sheriff or his Deputy may be supplied by any lawful constable at said district elections, and that said district elections shall, in all other respects, be held and conducted in the same manner, and at the same times, as is prescribed by the laws of this State, now in force, regulating elections, any law, or parts of laws, to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to establish an additional election district in the county of Telfair.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the general elections for members of Congress, Governor, and members of the Legislature, and county officers, may be held at the house of Daniel Lotts, in the county of Telfair, in addition to, and under the same regulations and restrictions of those already established in said county, any law to the contrary notwithstanding.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 18, 1829.

**GEORGE R. GILMER,** Governor.

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## EVIDENCE.

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**AN ACT** to enable parties litigant in the Superior and Inferior Courts of this State, to compel the production of written testimony where the same may be in the possession of persons, not parties to the cause, and residing without the county where such cause is pending ; and for other purposes.

*Whereas* parties litigant in the courts of this state frequently suffer great inconvenience, and some time gross injustice by reason of the difficulty of procuring written testi-

mony which may be necessary to the successful prosecution or defence of his cause, where the same happen to be in the possession of persons not parties to the cause, and residing without the county in which the cause is pending: For remedy whereof,

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, when any deed, bond, note, or other writing, which it may be necessary to use as testimony in any cause which now is, or may be hereafter pending in any of the Superior or Inferior courts of this State, may be in the possession of any person not a party to said cause, and not resident within the county in which said cause is pending, the clerk of the court, in which said cause is pending shall, upon the application of the party, or his attorney, desirous of procuring such testimony, issue a subpoena duces tecum, directed to the person having such deed, bond, note, or other writing in his possession, and requiring him to be, and appear at the next term of said court, and to bring with him into said court, the paper desired to be used as testimony, which said subpoena duces tecum shall be served thirty days before the court, to which it is made returnable by a Sheriff, Constable, or some private person, and the return of the Sheriff or Constable of such service, or the affidavit of such private person, shall be sufficient evidence that the subpoena was duly served.*

*Sec. 2. And be it further enacted, That when a subpoena shall be issued and served in the terms of the first section of this act, and the person whose attendance is thereby required, shall fail to comply with the requisitions thereof, it shall be the duty of the court, on motion, to issue an attachment against such defaulting witness, returnable to the next term of said court, and shall fine such witness in a sum not exceeding three hundred dollars, unless he or she shall make a sufficient excuse for such failure, which shall be judged of by the court; but shall nevertheless be subject to the action of the person at whose suit such witness shall have been summoned, for any damage which he, she or they may have sustained by reason of such failure: *Provided*, nevertheless, that if the person so subpoenaed shall, within ten days after the service of such subpoena, deliver to the party at whose instance the subpoena was sued out, or his attorney, or file in the office of the clerk of the court from which such subpoena issued, the paper, the production of*

which is required by such subpoena, or shall deliver to the said party or his attorney, or shall file in the said office his affidavit, that the said paper is not in his power, custody, possession or controul, nor was it at the time of serving said subpoena, then, and in that case such delivery or filing of the paper so sought as aforesaid, or of such affidavit, shall be considered a full and complete compliance with the requisitions of such subpoena duces tecum.

Sec. 3. *And be it further enacted*, That in any cause now pending, or which may hereafter be pending in the superior or inferior courts of this State, where any party shall pursue the course herein before pointed out; but who is unable thereby to procure such written instrument, such party shall be permitted to go into parol evidence of the contents of such written instrument.

Sec. 4. *And be it further enacted*, That all laws and parts of laws militating against this act, be, and same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to point out and regulate the manner of taking the testimony of females in certain cases.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, when the testimony of any female shall or may be required, in any of the superior or inferior courts which may be held in this State, criminal cases only excepted, it shall and may be lawful, for either party on giving at

least ten days notice to the adverse party or his, her, or their attorney, accompanied with a copy of interrogatories intended to be exhibited, to obtain a commission from the clerk of the court in which the same may be required, directed to certain commissioners to examine all and every such witness or witnesses on such interrogatories as the parties may exhibit ; and such examination shall be read at the trial, on motion of either party.

*Sec. 2. And be it further enacted by the authority aforesaid,* That if any person as above recited, shall refuse to appear before commissioners appointed to take her or their examination, or appearing shall refuse to answer such legal interrogatories as shall be annexed to said commission and exhibited to her or them, it shall be lawful for either of said commissioners, or the party upon whose application the said commission was issued, to proceed in conformity to the laws now in force pointing out the mode of proceeding in cases of failure, or refusal to attend, or answer interrogatories in other cases.

*Sec. 3. And be it further enacted,* That all laws or parts of laws militating against the above recited act, be, and the same are hereby repealed.

WARREN JOURDAN  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

## GUARDIANS.

AN ACT in addition to the acts concerning the guardianship of minors.

*Whereas* injury sometimes results to slaves and plantations belonging to minors, from the practice of hiring and renting them indiscriminately to the highest bidder: And whereas it may sometimes be desirable to keep such slaves together, and have them worked for the benefit of said minors:

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That Guardians may exercise under an order of the inferior court, sitting for ordinary purposes, a sound discretion in hiring slaves under their controul, either publicly or privately, as may be most conducive to the safety and comfort of the slaves, and the permanent interest of the owners.

Sec. 2. *And be it further enacted,* That in cases in which it may manifestly comport with the safety and comfort of the slaves, and the interests of the minors, the guardians may keep them together, and have them employed in such agricultural, or other operations, as said guardians may deem manifestly expedient, under a like order of said court.

Sec. 3. *And be it further enacted,* That when it may be manifestly expedient guardians may cause plantations, or any part of them, belonging to minors, to be managed and cultivated for their benefit; and when minors may not be possessed of lands for cultivation, their guardians may apply such portion of their disposable funds as may properly be applied to that purpose, to the purchase of such reasonable portion of land as may be necessary for the purposes of this act; or they may, if expedient, rent lands for the same purposes, under a like order of said court.

Sec. 4. *And be it further enacted,* That guardians shall keep regular accounts of receipts and expenditures in the

provision which to them may appear necessary to an economical and comfortable support of such invalid poor.

Sec. 2. *And be it enacted by the authority of the same,* That said justices shall have full power to act themselves, or appoint curators, overseers, and other officers and agents for the care and management of the asylum and invalid poor aforesaid, make all orders, rules and regulations which they may deem conducive to the end and object contemplated by this act.

Sec. 3. *And be it further enacted,* That after the establishment of said asylum, the justices shall be entitled to apply an adequate portion of the poor school fund, appropriated to the use of said county, to the education of the poor children residing at and near said asylum, subject however to the same accountability that is provided by any general law on that subject.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec, 19, 1829.

GEORGE R. GILMER, Governor.

## PENITENTIARY.

AN ACT to alter and amend the eighth and ninth sections of the ninth division of the penal code, passed the twentieth day of December, eighteen hundred and seventeen.

Whereas the said two sections have been found, upon experience, inadequate to effect the purposes for which they were intended,

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same,* That if any person shall, by himself or servant, or other agent, for his gain

or living, keep, have, exercise, use or maintain a gaming house or room, or shall, for his gain or living, in any house, place or room, occupied by him, permit persons with his knowledge to come together and play for money, or any other valuable thing, at any game of faro, loo, brag, bluff, or any other game played with cards, he or she shall, on conviction thereof, be punished by confinement in the Penitentiary at hard labor for a term not less than one year nor longer than five years.

Sec. 2. *And be it further enacted by the authority aforesaid,* That if any person shall, by himself or servant, or any other agent, keep or employ any Faro Table, E. O. Table, or A. B. C. Table, or other Table of like character, and shall either by himself or agent, preside or deal at any Faro Table, or use any E. O. or A. B. C. Table, or other Table of like character, for the purpose of playing and betting at the same, such person or persons, together with his or their agent or agents, shall, on conviction, be sentenced to be imprisoned at hard labor in the Penitentiary for a term of years not less than one nor more than five years.

Sec. 3. *And be it further enacted by the authority aforesaid,* That if any person shall play and bet at any game of faro, loo, bragg, or bluff, or shall play and bet at any E. O. or A. B. C. table, or any other table of like character, such person shall, on conviction, be sentenced to pay a fine not less than twenty nor more than one hundred dollars.

Sec. 4. *And be it further enacted,* That on the trial of any person under this act, any other person, who may have played and betted at the same time or table, shall be a competent witness, and compelled to give evidence, and nothing then said by such witness shall at any time be received or given in evidence against him in any prosecution against the said witness, except on an indictment for perjury, in any matter to which he may have testified.

Sec. 5. *And be it further enacted,* That it shall be the duty of the judges of the superior courts to give this act particularly in charge to the grand juries.

Sec. 6. *And be it further enacted,* That the before recited eighth and ninth sections of the ninth division of the before-mentioned penal code, and all acts, or parts of acts, militating against this act, are hereby repealed, except as to offences already committed against the provisions of the said



eight and ninth sections, which shall be punishable as therein directed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** for changing the manner of punishing convicts in the Penitentiary, and for the better regulation of the same—also, for adding to, and amending the penitentiary buildings, and for applying the money appropriated for the support of the Penitentiary, for the year eighteen hundred and twenty-nine, to the repairs and alterations in the penitentiary buildings, herein contemplated.

*Be it enacted by the Senate and House of Representatives general assembly met, and it is hereby enacted by the authority aforesaid, That it shall be the duty of the Principal Keeper of the Penitentiary, under the direction and superintendence of the Inspectors, to cause to be erected, as soon as practicable, after the passage of this act, in the penitentiary buildings, one hundred and fifty cells suited for the reception of one convict each.*

*Sec. 2. Be it enacted by the authority aforesaid, That the convicts now in the Penitentiary, or so many of them as may be necessary, shall be employed in the erecting of said cells, or such other alterations in, or additions to the penitentiary buildings, as may be herein required.*

*Sec. 3. Be it enacted by the authority aforesaid, That the Principal Keeper of the Penitentiary, under the direction of the Inspectors, be, and he is hereby required to make such alterations in the location and construction of the workshops in the Penitentiary as may be necessary to carry into effect the provisions of this act.*

Sec. 4. *Be it enacted by the authority aforesaid, That the* sum of five thousand dollars, appropriated heretofore for the support of the Penitentiary, for the year eighteen hundred and twenty-nine, be, and the same is hereby made a fund to be applied to defraying the expenses of such alterations, improvements, and additions to the penitentiary buildings as are herein directed to be made, and that the same be paid out for said purpose, to the Principal Keeper, under the direction of his Excellency the Governor, in such manner, and at such time as he may think most expedient and best.

Sec. 4 *And be it further enacted, That it shall be the duty* of the Principal Keeper so to arrange the convicts at labor, that they may be under the personal inspection of some one of the keepers at all times, whose duty it shall be to prevent them from holding intercourse one with another, either by words or signs.

Sec. 5. *And be it further enacted, That the convicts shall* be punished with solitary confinement in cells provided for that purpose, at all times except during the hours of labor and the time allowed by law for taking their meals, so soon as practicable, under the provisions of this act.

Sec. 6. *And be it further enacted, That the Principal* Keeper, together with the Inspectors, are hereby authorised and required to make such bye-laws and regulations as they may think necessary to carry into effect the provisions of this act.

Sec. 7. *And be it further enacted, That the Principal* Keeper, and each and every officer under him, shall remain in the department to which he belongs, during the hours of business (unless absent by special leave of the Inspectors,) and for a violation of this regulation it shall be the duty of the Inspectors to report the officer offending to the Governor, who may for the first infraction reprove, and for the second dismiss him.

Sec. 8. *And be it further enacted, That it shall be the duty* of the Principal Keeper, and he is hereby required, on the first day of January, in each year, or as early thereafter as practicable, to make out and present to the Inspectors an estimate of all the materials necessary to carry on the various departments of business in said institution for the year, which, for timber, shall be at least one year in advance; and it shall be the duty of said Inspectors, or a majority of them, to

order the purchase of the same, from time to time, as the funds on hand may enable them ; and it shall further be the duty of said Inspectors, as soon as the estimate aforesaid is made out and presented by the Principal Keeper, to advertise that they will let out upon contract, to the lowest bidder, all supplies of lumber and materials, for the use of said Institution, for the ensuing year, and specify the remotest period for its delivery ; and it shall be their duty to require bond and sufficient security from all contractors, conditioned for the faithful performance of their said contract, and upon their failure to comply, as aforesaid, it shall be lawful for the said Inspectors to purchase the deficiency on the best terms in their power, and charge the difference in price (if any) to the contractor, which said difference they may sue for and recover in any court having competent jurisdiction in this State.

Sec. 9. *And it further enacted*, That no officer of said Institution shall be contractor for supplies or materials of any description, or be the security of others entering into contracts for supplies for said institution.

Sec. 10. *And be it further enacted*, That the Physician of the Penitentiary shall receive a salary of three hundred dollars per annum for all the duties required of him by law.

Sec. 11. *And be it further enacted*, That all laws, and parts of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

## RELIEF LAWS.

**AN ACT** to amend the penal code, passed in the year eighteen hundred and seventeen.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, any person or persons who shall feloniously abduct or kidnap any free white person or persons from out the limits of any local jurisdiction or county, or from out the limits of this State, shall be punished by imprisonment in the Penitentiary for a space of time not less than five or more than seven years, any law or ordinance to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

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## RELIEF LAWS.

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**AN ACT** to extend the time for fortunate drawers in the land lotteries of eighteen hundred and eighteen, eighteen hundred and nineteen, and eighteen hundred and twenty-one, to take out grants for the lands thus drawn—and after the time therein specified, to vest the same in the State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That every person who*

was a fortunate drawer in the land lotteries by authority of the acts passed on the fifteenth day of December, eighteen hundred and eighteen, on the sixteenth day of December, eighteen hundred and nineteen, and on the fifteenth day of May, eighteen hundred and twenty-one, shall have until the first day of November, eighteen hundred and thirty, to take out his, her or their grant, upon paying into the treasury the sum of eight dollars.

Sec. 2. *And be it further enacted by the authority aforesaid,* That from and after the first day of November, eighteen hundred and thirty, the lands so drawn as aforesaid, and not granted, shall revert to and become the property of the State.

Sec. 3. *And be it further enacted,* That this act shall not extend to any lot or lots of land drawn by orphans, until three years after the said orphans shall have arrived at the age of twenty-one years, nor to any lots drawn by idiots, or lunatics, or persons who have departed this life since they gave in for a draw or draws in said lotteries of eighteen hundred and eighteen, eighteen hundred and nineteen, and eighteen hundred and twenty-one, and whose estates are unrepresented, nor to any lots number ten and one hundred, set apart for the purposes of public education.

Sec. 4. *And be it further enacted,* That all laws, and parts of laws, militating against this act, be, and the same is hereby repealed.

Sec. 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of his Excellency the Governor, to cause this act to be published in all the public gazettes of this State, once a month until the first day of November next, and that he cause the expenses of such publication to be paid out of the contingent fund.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,

President of the Senate.

Assented to, Nov. 9, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to extend the time for fortunate drawers in the land lottery of eighteen hundred and twenty-seven, to take out their grants.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That all and every person who was a fortunate drawer in the land lottery by authority of an act passed the ninth day of June, eighteen hundred and twenty-five, and by virtue of an act passed on the twenty-fourth of December, eighteen hundred and twenty-five; also by virtue of an act passed on the fourteenth day of December, eighteen hundred and twenty-six, shall have until the twenty-fifth day of December, eighteen hundred and thirty, to take out his, her or their grant or grants for the land drawn by him, her or them, under the same restrictions as heretofore practised, any law to the contrary notwithstanding.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to extend the time for fortunate drawers in the land lottery of eighteen hundred and twenty-seven, to take out their grants.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That all and every person who was a fortunate drawer in the land lottery by authority of the act passed the ninth day of June, eighteen hundred and twenty-five, shall have until the twentieth day of December, eighteen hundred and thirty, to take out his, her or their grant or grants for the land drawn by him, her*

or them, and that a grant or grants shall issue to him, her or them, for the same, according to the provisions of the twenty-first section of the said act, on paying into the treasury of this State the sum of twelve dollars.

Sec. 2. *And be it further enacted*, That all laws militating against this, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

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AN ACT for the relief of certain fortunate drawers in the land lottery authorised by the acts of June ninth, eighteen hundred and twenty-five, and December twenty-fourth, eighteen hundred and twenty-five, and to point out the manner in which land drawn by illegitimate children shall descend.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same*, That where any person or persons shall have been fortunate drawers in the land lottery authorised by the acts of June ninth, eighteen hundred and twenty-five, and December twenty-fourth, eighteen hundred and twenty-five, and who may have been returned as an orphan or orphans, by the person who may have given in their names for a draw or draws, when in fact said person or persons may have been an illegitimate child or children, shall not be held, deemed or considered as a fraudulent draw, under any of the provisions of said acts, but the same shall be as fully and entirely vested in him, her or them, as if no such misrepresentation, as aforesaid, had been made by the person who gave in the name or names of said person or persons, for a draw or draws, any law to the contrary notwithstanding.

**Sec. 2.** *And be it further enacted,* That whenever any illegitimate child, having drawn a lot of land in the said lottery, and who has or may die intestate, without child or children, or the representatives of children, and without brothers or sisters on the maternal side, then and in that case, the said land shall descend to, and vest in the mother.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

**Assented to, Dec. 22, 1829.**

**GEORGE R. GILMER, Governor.**

**AN ACT** to change the names of certain persons therein mentioned, and to legitimatise those persons whose names are so changed, and to constitute Martha Beauchamp the legal heir and representative of Isaiah Parker of DeKalb county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same,* That from and immediately after the passage of this act, that the persons now known by the name of William Pratt, born in lawful wedlock, of Wayne county, be changed to that of William Campbell; and that the name of Berian Swett of Wayne county, be changed to that of Berian Henderson; and that the name of Newton Bell of Jackson county, be changed to that of Newton Green; and that the name of John Anderson Phelps of Jasper county, be changed to that of John Anderson Barclay; and that the name of John Hulsey of Habersham county, be changed to that of John Wesley Charles; and that the name of James Bexly of Walton county, be changed to that of James Smith; and the name of Berry Coleman Duke of Newton county, be changed to that of Berry Coleman Tate.

**Sec. 2.** *And be it further enacted,* That the names of Jane Green and Ezekiel Green of Bulloch county, be changed to



that of Jane Parish and Ezekiel Parish; and the name of John W. Stewart of Jasper county, be changed to that of John W. Willitt; and the name of Emily Williamson of Coweta county, be changed to that of Emily Penticost; and that the names of Susannah Godfrey, Nancy Godfrey, Freeman Godfrey, and Enoch Godley of Burke county, be changed to that of Susannah Mulky, Nancy Mulky, Freeman Mulky, and Enoch Mulky; and that the name of Robert Douglas Jackson of Decatur county, be changed to that of Robert Jackson Douglas; and the name of Mary Ann Collins of Chatham county, who was born in lawful wedlock, be changed to that of Lucy Rynson Cook; and the name of J. R. Jenkins be changed to that of A. J. Sutton of Habersham county; Joseph Merritt of Burke county, to that of Joseph Perry; the name of Redding Gibbs of Irwin county, to that of Redding Durham, and to legitimatise the same; the name of Amanda C. F. White to that of Amanda C. F. Bracewell of Pulaski county, and legitimatise the same; the name of Nancy Groom of Appling county, to that of Nancy Hagan; and the name of Lewis J. Cherrytree of Wayne county, to that of Lewis J. Pendarvis, who was born in lawful wedlock.

*Sec. 3. And be it further enacted,* That all and each of them are hereby declared to be fully and completely legitimatised and entitled to all the rights and legal privileges, and capable of taking, inheriting, and receiving all manner of property, by the statute of distribution, as they, or any of them, would have been entitled to, had they been born in lawful wedlock, so far as respects the estates of their respective reputed fathers.

*Sec. 4. And be it further enacted,* That Martha Beauchamp, wife of William Beauchamp of DeKalb county, be, and she is hereby constituted the legal heir and representative of Isaiah Parker of said county, in as full and ample a manner as if she had been the legitimate child of the said Isaiah, any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to legalize and make valid certain deed records, as recorded in book marked A, in the clerk's office of the superior court of Henry county, and to authorise the justices of the inferior court of said county to pay for transcribing the same.

Whereas at the organization of said county, a number of deeds of conveyance were recorded in books not bound, and the same having since been transcribed as aforesaid,

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, it shall be the duty of the justices of the inferior court of said county, or a majority of them, to examine the said transcript, and compare the same with the original record, and if the same be correctly transcribed, they shall certify the same and deposit the said record book in the clerk's office of the superior court of said county, and the same shall become a part of the records of said county, and shall be held as good and valid in law as though the same had never been transcribed.*

**Sec. 2.** *And be it further enacted,* That the justices aforesaid shall allow whatever in their discretion shall seem to be a reasonable compensation for transcribing the aforesaid record out of the county funds of said county—*Provided,* the said court is left discretionary whether they will pay for said transcript or not.

**Sec. 3.** *And be it further enacted,* That all laws, and parts of laws, militating against this act, be, and the same are hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 21, 1829.

**GEORGE R. GILMER,** Governor:

**AN ACT** for the relief of James D. Lester, and to authorise the Governor to issue grants to purchasers of public lands, where the certificates have been lost, and the full amount of the purchase money is paid.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the Governor shall cause a grant to issue in the name of James D. Lester, for half of lot number two hundred and thirty-five in the twelfth district of Monroe county, on his paying into the Treasury of this State the grant fees: Provided it shall fully appear that all the purchase money shall have been paid.*

**Sec. 2.** *And be it further enacted, That in all similar cases, where it shall be made fully appear that all the purchase money has been paid, the Governor may cause a grant or grants to issue to any person or persons so applying, and paying into the Treasury all the grant fees.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to change the name of William Parker, to that of William Bryant, and to legitimatise said William Bryant—also to alter and change the names of Mary Barbara Harbuck, Thomas Henry Harbuck, and Eliza Jane Harbuck to that of Mary Barbara Fisher, Thomas Henry Fisher and Eliza Jane Fisher.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That immediately after the passage of this act, the person now known by the name of William Parker, be, and the same is hereby changed to that of William Bryant, and that Mary Barbara Harbuck, Thomas Henry Harbuck and Eliza Jane Harbuck, be called and known by the names of Mary Barbara Fisher, Thomas Henry Fisher and Eliza Jane Fisher.*

**Sec. 2.** *And be it further enacted, That said William Bryant is hereby declared to be fully and completely legitimatised, and entitled to all the rights and privileges which he would have been entitled to, had he been born in lawful wedlock; and fully capable of taking, inheriting and receiving all kind of property by virtue of the statute of distributions of this State, so far as regards the estate both real and personal of Benjamin Bryant, the reputed father of the said William Bryant: Provided this act shall not enable the said William Bryant to inherit to the exclusion of any child or children of the said Benjamin Bryant, born or who may hereafter be born in lawful wedlock.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER, Governor,**

**AN ACT** for the relief of the drawers or owners of land in the eleventh district of Irwin (formerly) now Lowndes county, and to authorise the county surveyor to close lines where they are now open in said county.

Whereas it appears that the said district originally, was inaccurately surveyed, and that in making a resurvey of the same, under a resolution of the last session of the Legislature a derangement of the lots as originally marked, numbered and granted has, or will take place throughout the whole district, whereby in many cases the drawers and owners of said lots will lose a part or the whole of their land, with the improvements thereon to their great injury: for remedy whereof,

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That in all and every case in the said eleventh district in the county of Lowndes, wherever the lot as originally marked and numbered, can be identified as the land granted by the number, corner and station trees, the drawer or owner of the said land, shall be entitled to the same without regard to the exact quantity of acres it may contain, or precise distances, of the lines, and should the lot upon admeasurement prove to contain more acres, than the grant calls for, it shall enure to the benefit of the drawer or owner, and should the quantity fall short it shall be his loss.*

*Sec. 2. And be it further enacted by the authority aforesaid, That it shall be the duty of the county surveyor of the said county, upon the request of the drawer or owner of any lot, or lots of land in any district of the said county, to run round the said lots of land according to the lines originally run, when the same can be ascertained, and where the lines are open to close the same by running from corner to corner of the said lot, without regard to the course and distance of the line or lines, at the expense of the owner or drawer of the said land.*

*Sec. 3. And be it further enacted, That where the said lands in the said eleventh district, cannot be identified as aforesaid, the lots may be numbered so as to correspond with the grants for the same by the county surveyor, as nearly as he can, according to the original plan of numbering the said district.*

Sec. 4. *And be it further enacted*, That the surveyor employed to resurvey the said district, shall cease to proceed with said work so soon as he shall be informed of the passage of this act.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT for the relief of the Grand and Petit Jurors of  
Columbia county.**

*Be it enacted by the Senate and House of Representatives of the State of Georgia in general assembly met, and it is hereby enacted by the authority of the same*, That after March term, eighteen hundred and thirty, the Judge of the Superior Court of Columbia county, shall cause to be drawn, and empannelled, at least fifty Grand and seventy-two Petit Jurors to serve at each succeeding term thereafter, in said county, or until the business of that court can be completed in one week.

Sec. 2. *And be it further enacted*, That it shall be the duty of the Sheriff of the county of Columbia, to summon one half of the grand and petit jurors so drawn and empannelled to attend the second week of said court; and in summoning said grand and petit jurors, it shall be the duty of the Sheriff to take the jurors alternately as they stand on the venire facias, and to designate in his summons, the week such juror must attend said court, as a grand or petit juror; and no grand or petit juror shall be compelled to serve more than one week, at any one time of the Superior court in said county, unless the grand or petit

jury should be charged with a civil or criminal cause; upon which they have not decided—In that event, they shall attend the court until said cause be disposed of, and no longer.

Sec. 3. *And be it further enacted*, That the Judge of the Superior court, after a full grand jury and two panels of petit jurors are empannelled and sworn, at the opening of the court, all the rest of the grand and petit jurors summoned to attend said court on that week, may be discharged.

Sec. 4. *And be it further enacted*, That all laws militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to make valid the sale of certain lots of land, situated in the first district of Muscogee county originally, now Crawford county, sold by the Sheriff of said county of Crawford, on the seventeenth day of April, eighteen hundred and twenty-nine.

Whereas by an act of the General Assembly of this State, passed on the twentieth day of December, eighteen hundred and twenty eight, authorising the Sheriff of Crawford county to sell and dispose of certain lots of land, situate in the first district of Muscogee county; the said Sheriff did, on the seventeenth day of April, eighteen hundred and twenty-nine, proceed to sell certain lots of land, situate as aforesaid, as the property of the State, and required of the purchasers of said lots, one fifth of the purchase money only, to be paid in hand, through mistake, when he should have required

one fourth of the purchase money to have been paid in hand, in terms of the statute, herein the said sale is illegal: for remedy whereof,

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the sale of the square lots of land, made by the Sheriff of Crawford county, in the first district of originally Muscogee county, as the property of the State, on the seventeenth day of April, eighteen hundred and twenty-nine, be, and is hereby made legal and valid to all intents and purposes: Provided, the said Sheriff shall, within two months after the passage of this act, pay over to the Treasury of this State the one fifth of the amount of the sale aforesaid.*

WARREN JOURDAN,  
Speaker of the House of Representatives:

THOMAS STOCKS,  
President of the Senate:

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor:

AN ACT to admit David J. Bailey of Butts county, Hiram Hemphill of Lincoln county, John A. Campbell of Wilkes county, Gray A. Chandler of Warren county, Robert McCarthy of Monroe county, William A. Black of Chatham county, and Robert A. Tooms of Wilkes county, to plead and practice law in the several courts of Law and Equity in this State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, David J. Bailey of Butts county, Hiram Hemphill of Lincoln county, John A. Campbell of Wilkes county, Gray A. Chandler of Warren county,*



Robert McCarthy of Monroe county, William A. Black of Chatham county, and Robert A. Tooms of Wilkes county, be, and they are hereby authorised and admitted to plead and practice law in the several courts of law and equity in this State, upon their undergoing an examination in open court according to the laws of this State.

Sec. 2. *And be it further enacted by the authority aforesaid,* That each and every of the aforesaid persons, shall be held, deemed and considered liable and responsible for all his acts and contracts, in the same manner, and to the same extent as if he were of full age.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT for the relief of the securities of Alfred Thompson, Tax collector of Laurens county, for the year eighteen hundred and eighteen.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Farmer, Henry Culpepper and Charles Powell, securities for Alfred Thompson, Tax collector of Laurens county for the year eighteen hundred and eighteen, be, and they are hereby fully and entirely discharged from their liability, as securities as aforesaid, as soon as they fully pay up and discharge the principal sum that is yet due to the State by the said Alfred Thompson, Tax collector as aforesaid.

Sec. 2. *And be it further enacted by the authority aforesaid,* That so soon as the said principal sum aforesaid, is fully paid up and discharged, (if any yet remains due) the Comptroller

## RELIEF LAWS.

General is hereby required to stop the farther progress of any execution that may have issued from his office against the said Alfred Thompson, tax collector, as aforesaid, and his securities, Jacob Farmer, Henry Culpepper and Charles Powell, and to cause the same to be filed away in his office as satisfied so far as regards the said securities, by virtue of the passage of this act.

Sec. 3. *And be it further enacted*, That all laws, and parts of laws, that militate against this act, be, and the same are hereby repealed.

WARREN JOURDAN

Speaker of the House of Representatives.

THOMAS STOCKS,

President of the Senate.

Assented to, Nov. 27, 1829.

GEORGE R. GILMER, Governor.

AN ACT to authorise David Ryerson of the State of New Jersey, Guardian of Margaret Rembert Taylor, to sell and dispose of certain negroes, and to perform other acts in behalf of his said Ward, in this State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met*, That David Ryerson of the State of New Jersey, Guardian of Margaret Rembert Taylor, one of the children of Hugh Taylor, late of the county of Hancock, deceased, be, and he is hereby authorised, by himself, or his agent or attorney in fact, to sell and dispose of the slaves bequeathed and set off to his said Ward, as fully and effectually as if the said David Ryerson had obtained letters of Guardianship from the competent authority in this State: *Provided* the said Guardian should comply with the laws of this State, regulating sales by Guardians, and shall produce and deposit with the Court of Ordinary of said county of Hancock, satisfactory evidence that sufficient security has been given by him, to any

court in the State of New Jersey, having jurisdiction of orphans, for the faithful performance of his duties as Guardian, for the said Margaret Rembert Taylor.

*Sec. 2. And be it further enacted by the authority aforesaid, That the said David Ryerson and any future Guardian of the said Margaret be, and he is hereby authorised to receive from the executors of the last will and testament of the said Hugh Taylor, all the property, money and effects to which his said Ward is, or may be entitled under said will, as fully and effectually as if he were constituted Guardian by the authority of a court of ordinary of this State, on his complying with the second clause in the proviso in the aforesaid first section contained.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

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**AN ACT** to authorise the Justices of the Inferior court of DeKalb county to relieve James Guess and Lindsey McPost, from the payment of a judgment entered against them as the securities of Charles Williams, upon a forfeited recognizance.

Whereas James Guess and Lindsey McPost, did heretofore enter themselves as the securities of one Charles Williams, for his appearance at the April Term, eighteen hundred and twenty-eight, of the Superior court of DeKalb county, and the said Williams having failed to appear, a judgment has since been entered against the said securities, for the sum of five hundred dollars, the amount of said bond.

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That*

from and after the passage of this act the Justices of the Inferior court of DeKalb county or a majority of them, be, and they are hereby fully authorised to discharge the said James Guess and Lindsey McPost, securities as aforesaid, from the payment of the whole or any part of said judgment, that they may think proper : *Provided* they shall not be authorised to discharge them from the payment of the costs of said judgment.

*Sec. 2. And be it further enacted by the authority aforesaid,* That all laws militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT for the relief of the Butchers and Venders of meats in the city of Augusta.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of January, eighteen hundred and thirty, it shall not be lawful for the City Council of Augusta to assess or lay any tax upon the regular butchers in said city, or upon their meats vended therein, by way of fees or otherwise exceeding the sum of fifty dollars per annum for each single stall in the market-house of said city.

*Sec. 2, And be it further enacted by the authority aforesaid,* That the stalls in said Market-house, upon which said assessment is to be made, shall not be diminished in size, but shall be designated by the pillars at present standing in said market-house.

*Sec. 3. And be it further enacted by the authority aforesaid, That said tax shall be paid quarter yearly in advance to the city council or their order, which shall be in full satisfaction for the privilege of vending meats in said market, and for the use of said stalls—any law, ordinance or usage to the contrary notwithstanding.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

*Assented to, Dec. 4, 1829.*

**GEORGE R. GILMER, Governor.**

#### **AN ACT for the relief of George Madray.**

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the Inferior Court of the county of Burke, be, and they are hereby authorised to remit to George Madray of the said county of Burke, a certain fine of the amount of twenty dollars which was imposed on him as a defaulting petit juror by the superior court, at the adjourned term of the said court, held in January in the year of our Lord one thousand eight hundred and twenty-nine.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

*Assented to, Dec. 8, 1829.*

**GEORGE R. GILMER, Governor.**

**AN ACT** to legitimatise and change the names of Nancy Daniel and Lucy Jane Daniel, to that of Nancy Crisp and Lucy Jane Crisp.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, that Nancy Daniel and Lucy Jane Daniel of Columbia, shall be known and called by the names of Nancy Crisp and Lucy Jane Crisp, and that the persons aforesaid, shall be, and they are hereby declared to be fully and completely legitimatised, and entitled to all the rights and legal privileges, that they would have been entitled to, had they been born in lawful wedlock, and shall be capable of inheriting all manner of property, under and by virtue of the statute of distribution, so far as relates to the real and personal estate of Moses P. Crisp their reputed father.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to change the names of certain persons therein mentioned.

*Be it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by the authority of the same, That from, and immediately after the passage of this act, Eliza Sauls, Elijah*

Sauls, Henry Sauls, and Elias Sauls, shall be called and known by the names of Eliza Shuman, Elijah Shuman, Henry Shuman and Elias Shuman, and William Smith to that of William B. Smith.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER, Governor.

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AN ACT for the relief of Edmund G. Berry and James Berry.

Whereas Edmund G. Berry and James Berry became bound in three several recognizances of one thousand dollars each, as security for the appearance of William T. Berry, at Morgna Superior court, upon which judgments have been entered up for the sums aforesaid ; and whereas there is some probability of the said securities being able to surrender up the body of their said principal,

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the Solicitor General of the Oakmulgee circuit be, and he is hereby directed to order a suspension of all further proceedings upon said judgments until the first day of January, eighteen hundred and thirty-one.*

Sec. 2. *And be it further enacted, That should the said Edmund G. Berry and James Berry, or either of them deliver into the hands of the Sheriff of Morgan county, or to the keeper of the common jail thereof, the body of the said William T. Berry, on or before the first day of January,*

eighteen hundred and thirty-one, then and in that case the said securities shall be, and they are hereby declared to be fully exonerated and discharged from their said recognizances, and the said judgments thereon rendered—any law, usage or custom to the contrary notwithstanding.

Sec. 3. *And be it further enacted*, That the Sheriff of Newton county, shall be, and he is hereby directed to surrender up into the hands of said securities, the property of said securities heretofore levied upon, upon the said securities giving bond with good and sufficient security, payable to the State of Georgia, in the amount of the judgments upon said recognisances, conditioned to be void only, upon the delivery of said William T. Berry, into the hands of the Sheriff of Morgan county, or the keeper of the jail of said county, on or before the first day of January, eighteen hundred and thirty-one; and which bond so given, shall be subject to be sued upon, in favor of the Trustees of Madison, Morgan county, Academy, and collected for their use, so soon as the condition thereof shall be forfeited in any court of law, having jurisdiction thereof in this State.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** for the relief of John Hales, of Madison county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That the Justices of the Inferior court of said county, be, and they are hereby authorised, should they think proper so to do, to release the said John Hales from the payment of a judgment



entered against him, as one of the securities for the appearance of Sanford C. Clark, at a Superior court of said county, on the payment of all costs.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

## ROADS.

**AN ACT** to provide for the improvement of the Roads and Rivers in this State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That so soon after the passage of this act, as circumstances may require, it shall be the duty of his Excellency the Governor, to appoint two fit and proper persons to superintend the improvement of the public roads and the rivers of this State, who shall be removeable from office at the pleasure of the Governor, who in case of such removal may appoint others in their stead.

**Sec. 2.** *And be it further enacted by the authority aforesaid,* That the sum of fifty thousand dollars, including the twenty thousand dollars heretofore appropriated for the improvement of the Savannah river above Augusta, be, & the same is hereby appropriated, out of any funds in the Treasury not otherwise pledged, to & for the purchase of such a number of able bodied ne-

groes, within the State of Georgia, and who have been in Georgia twelve months, as will, in addition to the number now owned by the State, amount to the number of one hundred and ninety.

Sec. 3. *And be it further enacted by the authority aforesaid,* That as soon as the two said superintendants shall be appointed, they shall be respectively assigned by his Excellency the Governor to take charge of the public hands as follows: that is to say, one to take charge of the public hands to be placed at Augusta, Savannah and Milledgeville; and one to take charge of the public hands to be placed at Macon and Columbus, and on the waters of Flint river, as hereinafter provided; and such superintendants shall place the public hands so placed under their charge respectively, on such public roads and rivers, as are hereinafter provided for and designated. And the said superintendants are hereby authorised and directed to take charge of the said public hands so committed to them, and place the same to work accordingly within their respective districts.

Sec. 4. *And be it further enacted by the authority aforesaid,* That as soon as the said superintendants are appointed, that his Excellency the Governor, be, and he is hereby authorised to place the public hands now working on the river Chattahoochee, or which are in that neighborhood, at Columbus, provided the number so placed there does not exceed twenty-five; and to place the public hands now, or lately working on the Ocmulgee at Macon, provided the number so placed there does not exceed twenty-five, including those lately working on the Ocmulgee and now hired out; and to place the hands now working on the Oconee, at Milledgeville, provided the number so placed there does not exceed fifteen, and the residue of the said public hands, including those now working on the Altamaha river or its branches, below or near Darien, at Augusta, provided the same does not exceed seventy-five, and that the remainder, if any, together with others to be purchased under and by virtue of this act to make up the number of twenty-five, be placed at Savannah; and twenty-five at Flint river; and after the said twenty-five be so placed at Savannah, then the hands remaining to be purchased in pursuance of this act, shall, as soon after the purchase as practicable, be placed at Augusta, Milledgeville, Macon and Columbus, as may be most convenient, until the whole number placed at Augusta shall amount to seventy-five—the whole number placed at Milledgeville to fifteen—the whole number placed at Macon to

twenty-five—the whole number placed at Columbus to twenty-five ; and the whole number placed at Flint river, twenty five.

Sec. 5. *And be it further enacted by the authority aforesaid,* That the public hands lately working on the Ocmulgee and now hired out, shall immediately after the expiration of the term for which they are now hired out, be placed at Macon in addition to the public hands previously placed there by virtue of this act, provided the same do not exceed twenty-five in number, in which case only that number shall be placed there.

Sec. 6. *And be it further enacted,* That if after the purchase of the negroes provided for by this bill, any balance of the money hereby appropriated, shall remain unexpended, that then the same shall be invested in the purchase of negroes to be added to those hereinbefore directed to be placed at Milledgeville.

Sec. 7. *And be it further enacted,* That James Everett of Crawford county, John Young of Houston county, Thomas E. Ward of Dooly county, Robert Green of Marion, Benjamin O. Keaton of Lee county, Isaac Welch of Baker county, Bennet Crawford of Decatur county, Richard Mitchell of Thomas county, Matthew Albritton of Lowndes county, (a majority of whom may act) be and they are hereby appointed a Board of Commissioners, to superintend the improvement of Flint river and the roads in that portion of this State, through which said river flows south of the Federal road leading from Macon to Columbus, who shall be vested with the same, and equal powers, granted to the commissioners and city councils, by this act, of the incorporated towns of this State, having the supervisorship of the hands appropriated for the improvement of the rivers and roads of this State.

Sec. 8. *And be further it enacted by the authority aforesaid,* That there shall be seven overseers appointed in manner following, that is to say : two by the city council of Augusta : one by the city council of Savannah, and one by the commissioners of each of the towns of Milledgeville, Macon and Columbus, and by the commissioners of Flint river respectively—And the said city councils and boards of commissioners respectively, are hereby authorised to make such appointments, and with the concurrence of the superintendant of the division to remove them from office and appoint others in their stead.

Sec. 9. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said superintendants respectively, to superintend and control the public hands placed under their charge respectively as aforesaid, to provide for their clothing, maintenance and support, and to purchase such implements and tools, horses, carts, camp equipage and other necessities for their use, as they may need, in addition to such as the State now owns.

Sec. 10. *And be it further enacted by the authority aforesaid,* That it shall be the duty of said superintendants respectively, to place the hands assigned to their charge as aforesaid, at each city or town as aforesaid, under the direction of the overseers respectively appointed by the authorities, as aforesaid, and to proceed with all possible dispatch, to work on and improve such roads and rivers as may be designated to them, in the manner and by the authority hereinafter provided.

Sec. 11. *And be it further enacted by the authority aforesaid,* That the said superintendants shall each receive the sum of eight hundred dollars per annum for his services, and the said overseers each three hundred dollars per annum for his services per year, to be paid quarterly, provided that said salaries shall not be deemed to commence until they shall have respectively actually commenced to discharge their respective duties—and that in addition to the salaries so allowed, the said overseers shall be furnished with provisions, by the superindant at the public expense.

Sec. 12. *And be it further enacted by the authority aforesaid,* That the city councils of Augusta and Savannah respectively, and the commissioners of the towns of Milledgeville, Macon and Columbus, and the commissioners of Flint river respectively, shall be, and they are hereby authorised to select, designate and direct from time to time as occasion may require, the road or roads, river or rivers, or parts of rivers on which the public hands placed at their respective cities or towns, or places as aforesaid shall work: provided that nothing herein contained shall be so construed as to authorise them at any time to employ the said negroes to work within the corporation limits, or to authorise the said city councils or commissioners, or any of them, or the said superintendants, to direct or require the said negroes to work on the rivers more than once a year, nor for a longer period than four months in any one year, at the discretion of said authorities; and it shall be the duty of the said superintendants respectively, at all times, to employ the said hands re-

spectively on such roads, or rivers, or parts of rivers as may be so selected and designated by the said authorities respectively, conformably to the true intent and meaning of this act.

Sec. 13. *And be it further enacted by the authority aforesaid,* That the said superintendants, in the respective divisions assigned to them, shall have power to alter and fix the direction of said roads which may be so designated to them, not materially affecting the route of said roads, if in the opinion of such superintendant, such alteration would conduce to the improvement or shortening of the same : provided that if any person or persons through whose inclosed premises such alteration of said road may run, shall think themselves or him, or herself aggrieved or injured thereby, he, she or they, shall be entitled to the same remedy as is pointed out by the road laws of this State now in force.

Sec. 13. *And be it further enacted by the authority aforesaid,* That if any person or persons whatsoever, shall wilfully and intentionally impede or attempt to impede the said superintendants or either of them, or the said overseers or either of them, or the said public hands, in working on the road or roads which may be selected and designated for them to work upon as aforesaid, he, she or they, so offending, shall be liable to indictment before the Superior court held in the county where the offence was committed, and shall on conviction thereof, be fined in a sum not exceeding one hundred and fifty dollars ; and further, if any person or persons shall knowingly, intentionally and wilfully stop up, obstruct, or turn, or change any public road, or the direction thereof which shall have been laid out, or made, or worked upon or improved, under and by virtue of this act, such person or persons so offending shall be liable to indictment in the Superior court held in such county, and on conviction thereof, shall be fined in a sum not exceeding two hundred dollars.

Sec. 15. *And be it further enacted by the authority aforesaid,* That it shall be the duty of said superintendants, constantly to attend to, and direct the said overseers and hands, and to make quarterly returns to his Excellency the Governor, of the amount and manner of his disbursement of the moneys committed to his charge, together with such vouchers for the same as may be satisfactory to the Governor ; the improvements made on the roads and rivers, the condition and number of the hands and generally of every other matter and thing connected with his duties as superintendant as aforesaid.

Sec. 16. *And be it further enacted by the authority aforesaid,* That for the purpose of carrying into effect the provisions and objects of this act, that the further sum of fifteen thousand dollars, be, and is hereby set apart and appropriated out of any funds in the Treasury, not otherwise appropriated, which sum hereby added to the contingent funds. And his Excellency is the Governor is hereby authorised to draw his warrants in favor of the said superintendants respectively upon such contingent fund for such amount as may be necessary from time to time, for carrying on the improvements aforesaid, purchasing tools and other necessities for the negroes, and for paying the salaries of the superintendants and overseers as herein before provided.

Sec. 17. *And be it further enacted by the authority aforesaid,* That before entering upon the discharge of their respective duties, the said superintendants shall each enter into bond and good security to his Excellency the Governor, and his successors in office, in the sum of five thousand dollars, for the faithful performance of his trust, and the proper and faithful disbursement of all money which may come into his hands, as superintendant as aforesaid, and that they shall respectively take an oath before his Excellency the Governor, that they will respectively truly do and perform all the duties required of them as superintendants as aforesaid.

Sec. 18. *And be it further enacted by the authority aforesaid,* That his Excellency the Governor, be, and he is hereby authorised and required, forthwith, to employ such number of fit and competent agents as to him may seem necessary, whose duty it shall be to purchase, for the use of the State, the additional number of able-bodied negroes, directed and intended to be purchased by virtue of this act, and who shall be allowed for their trouble such compensation as may to his Excellency the Governor seem just and reasonable—and further, that whenever any such agent may purchase any such negro or negroes, for the use of the State, according to the provisions of this act, it shall be his duty carefully to examine the title, and to take a bill of sale for the negro or negroes, so purchased by him, to the Governor of the State of Georgia, for the time being, and his successors in office, for the use of said State, and to cause the same to be duly executed, authenticated, and proved, according to law; and transmit the same to his Excellency the Governor, to be filed and recorded in the office of the Secretary of State, and his Excellency the Governor is hereby authorised to accept the draft or drafts of the said agent, for the amount of th.

purchase money of the said negro or negroes, and to draw warrants for the same on the Treasurer, to be paid out of the money appropriated for that purpose, by the second section of this act.

Sec. 19. *And be it further enacted by the authority aforesaid*, That the superintendants shall not be permitted to furnish, in their own proper persons, or by any agent they may appoint, any article or articles for the support or maintenance, or clothing of the said hands, or any implements, tools, or camp equipage, which may be required for their use or the progress of the improvement of the said roads or rivers, but shall procure all and every article which may be required, as above, at the lowest market price.

Sec. 20. *And be it further enacted by the authority aforesaid*, That nothing contained in this act, shall be so construed as in any manner to affect the operation of the road laws now in force in this State, save and except in so far as the same may interfere with the free exercise of the powers hereby vested in, and the full and faithful discharge of the duties hereby required to be performed by the said superintendants and overseers, as herein before provided.

Sec. 21. *And be it further enacted by the authority aforesaid*, That all law, and parts of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER. Governor.

**AN ACT** to alter the eighth section of an act entitled an act to alter and amend the road laws in this State, so far as respects the county of Irwin.

Whereas by the eighth section of the above recited act, the overseers of the public roads are required to cause their respective roads to be cleared out at least thirty feet wide, and all causeways at least sixteen feet wide—And whereas no necessity exists in the county of Irwin for this requisition,

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall be lawful for all overseers of public roads in the county of Irwin, to cause their respective roads to be cleared out not less than twenty feet wide, and causeways not less than twelve feet wide, any law to the contrary notwithstanding.*

**WARREN JOURDAN,**

Speaker of the House of Representatives.

**THOMAS STOCKS,**

President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to alter the time of the annual meeting of the Board of Commissioners of public roads for the county of Chatham, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in general assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, that it may be lawful for the commissioners of the public roads of the county of Chatham to meet and convene, as a board of commissioners, on the first Monday in December, in each year.*



Sec. 2. *And be it further enacted*, That it shall and may be lawful for the commissioners aforesaid, to receive returns from the commissioners of the several districts of the county, after the work has been done, and to impose and declare such fines and forfeitures for neglect or omission of duty, in relation to said roads, by any commissioners of any of said districts, as may to the said board seem reasonable and just.

Sec. 3. *And be it further enacted*, That all authority and power, heretofore granted by the several acts of the General Assembly of this State, to the said board of commissioners, are hereby confirmed.

Sec. 4. *And be it further enacted*, That all acts, or parts thereof, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

AN ACT to alter, in part, and amend the road laws of this State, so far as respects the county of Camden.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same*, That Alexander Holzhendorf, Richard Floyd, and Henry Jones, be, and are hereby appointed commissioners for that part of the public roads in the county of Camden, denominated the fourth district of public roads in said county; and they, the said commissioners, are hereby empowered and required to employ all the hands liable or amenable to perform road duty in that part of the fourth district lying southward of the road leading from the main post road, and passing Grant's, Pratt's, and Woodville

plantations; and including on the northward and on the eastward side of said road, the hands on Woodville, Bellevue, and Fairfield plantations only, to work upon, clear, amend, repair, erect, and improve the several roads and bridges, fords, causeways, and water-passes within said fourth district, and also upon the road leading from it, and passing the Hermitage, Brailsford's, and Holzendorf's plantations, to the main post road, intersecting it near Crooked river bridge.

Sec. 2. *And be it further enacted,* That said commissioners shall have full power and authority to compel the attendance of such persons as are liable to do road duty within said limits, and to do and exercise all other acts and things in relation to their duty, as are delegated to road commissioners, under the existing laws of this State.

Sec. 3. *And be it further enacted,* That said commissioners, and the hands in that part of the fourth district embraced in this act, shall be exempt from the performance of any other road duty, except when ~~violent~~ hurricanes materially injure and render impassable the main post road between Crooked river bridge and Brown's ferry, and in such cases only shall they be called out to work on said part of the main post road, and for a term not exceeding two days—and they shall be liable to all the penalties for a failure to comply with the provisions of this act, or to keep said roads, within the fourth district, in good order.

Sec. 4. *And be it further enacted,* That all the hands on the Little Satilla Neck, east of the Cross Swamp, in said county, liable or amenable to perform road duty, and also all the hands in said county, east of the main post road, and north of the road leading to said Neck, together with the hands belonging to the estate of Robert Brazzell, be, and they are hereby exempt from the performance of road duty on the main post road—and it shall be the duty of said hands to work upon, and keep in good order, the White Oak and Satilla Neck roads.

Sec. 5. *And be it further enacted,* That that the hands liable to do road duty, belonging to Thomas Miller, Thomas Tucker, Thomas E. Hardee, and Joseph Hull, shall, and they are hereby made liable to work on that part of said Little Satilla Neck road leading from the Cross Swamp, down the south side of said Little Satilla Neck.

Sec. 6. *And be it further enacted*, That Alexander Atkinson, David Brown, and William A. Berne, be, and are hereby appointed commissioners of that part of Little Satilla Neck roads leading down the north side of said Little Satilla Neck—and that Thomas E. Hardee, Thomas Tucker, and Elijah Tucker, be, and they are hereby appointed commissioners on that part of said road leading down the south side of said Little Satilla Neck—and that said commissioners, or a majority of them, are hereby vested with full power and authority to summon and call out the hands herein exempt from road duty on main post road, and to compel them to perform not less than six, nor more than twelve days tour of duty in any one year, on said Little Satilla Neck roads.

Sec. 7. *And be it further enacted*, That said commissioners shall have full power and authority to compel the attendance of such persons as are liable to do road duty on said Little Satilla Neck, and to do and exercise all other acts and things in relation to their duty, as are delegated to road commissioners under the existing laws of this State.

Sec. 8. *And be it further enacted*, That said commissioners of each road on said Little Satilla Neck shall summon all the hands liable to perform duty within said limits, to meet at the place called and known by the name of "The Cross Swamp," at the upper end of said Neck, and work first well all of said hands on the road leading through said Cross Swamp, until the same be made complete.

Sec. 9. *And be it further enacted*, That all laws, and parts of laws, contradicting this act, be, and they are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER. Governor.

**AN ACT** to alter and change the road laws of this State, so far as regards the county of Jefferson.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the act entitled an act to alter and amend the road laws of this State, passed on the nineteenth day of December, eighteen hundred and eighteen, is hereby declared to be in full force and effect, so far as regards the county of Jefferson—and that all laws, and parts of laws, militating against the same, be, and they are hereby repealed.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assested to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to amend the road laws of this State, so far as they relate to the county of Burke.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That whenever it shall so happen that a majority of the commissioners of the roads in any district in the county of Burke, shall, from any cause, fail to meet as directed by law, on the last Saturday in March, in any year, for the purpose of apportioning hands to the several roads in such district, and appointing overseers and summoners, it shall be lawful for any one or more of such commissioners, who may attend at the place of meeting, to adjourn such meeting, from time to time, until the attendance of a majority can be procured, giving notice of such adjournment to those commissioners who may be absent.*

Sec. 2. *And be it further enacted*, That any actings or doings of the said commissioners of any district, or a majority of them, at an adjourned meeting, shall be as valid as if done on the day appointed by law for the meeting of the said commissioners—any law, custom or usage to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER, Governor.

AN ACT to alter and amend the road laws of this State so far as they relate to the county of Glynn, and to repeal the second section of an act passed the twenty-fourth December, eighteen hundred and twenty-seven.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same*, That from and immediately after the passage of this act, it shall not be lawful for the commissioners of roads, in the county of Glynn, to call out the male slaves liable to road duty, oftener than once a year, nor for a longer period than six days, unless the roads of said county become obstructed by hurricane, storm or other casualty.

Sec. 2. *And be it further enacted by the authority aforesaid*, That the male slaves who heretofore have been employed in opening a road from College Bridge, the nearest and best way to the Mineral Springs, in Wayne county, shall be removed from the same and appropriated to some work more conducive to the public interest and convenience.

Sec. 3. *And be it further enacted by the authority aforesaid*, That so much of the road law, now in force in the county of Glynn, as requires one half of the male

slaves, liable to road duty in the twenty-fifth district, to work on the roads of the twenty-sixth district, is hereby repealed; and that all of the said male slaves, in the said twenty-fifth district, shall be required to perform the duty on the public roads, in said district, and to the keeping open the cuts from the Island of St. Simons, to the main land, or both, as in the opinion of the commissioners shall seem most beneficial to the public good.

Sec. 4. *And be it further enacted by the authority aforesaid,* That all laws, and parts of laws, militating against the same, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

## RIVERS.

AN ACT to direct and make uniform the manner of fishing for shad on the river Ocmulgee, with seines, and to provide for the punishment of those who shall violate the provisions of this act.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met,* That from and after the passage and promulgation of this act, no person or persons whatsoever, by themselves, their servants or agents, shall be permitted to draw any seine on the Ocmulgee river, of Georgia, at any time, between the hours of twelve in the forenoon of Saturday, and the hour of twelve in the forenoon of Monday: nor shall they be permitted to keep any sein within the hour aforesaid, stationary or by any position or fixture whatever, in the said river, so as to catch

shad or prohibit their free passage up the said river, in any of the cuts off or arms thereof.

Sec. 2. *Be it further enacted*, That no person or persons, whatsoever, by themselves, their servants or agents, shall be permitted to draw two seines, the one immediately succeeding the other, within the hour aforesaid, at the same fishing landing, or place for drawing for fish, on said river.

Sec. 3. *Be it further enacted*, That all persons, whatsoever, violating the provisions of the foregoing sections, or either of them, shall be subject, for each offence, to pay the sum of twenty-five dollars, to be recovered before any justice of the peace, inferior or superior court, or any corporation court, duly constituted, on the said river, to be commenced in the name of the individual informing, and shall moreover be subject to be indicted before the superior court, and on conviction, shall be sentenced, for each offence, to pay a fine not less than ten nor more than twenty-five dollars, at the discretion of the court. In each or either case of suit or indictment, the one half of the penalty shall go to the informer, the other to the county wherein the offence is committed.

Sec. 4. *Be it further enacted*, That it shall be the duty of the justices of the inferior court, of the peace, sheriffs, constables, and police officers, who live in counties lying on the Ocmulgee, to lodge information against all persons offending against this act, before the next grand jury that may convene thereafter.

Sec. 5. *Be it further enacted*, That if a slave or slaves offend against this act, without the command or coercion of his owner, overseer, or any other white person, he shall, on conviction for each offence, receive twenty-five lashes on his bare back. Any justice of the peace, or of the inferior court, may immediately, on information and proof, order him to be whipped by a constable or sheriff, or any person deputed by said justice for that purpose.

Sec. 6. *Be it further enacted*, That all laws, or parts of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to lay off, define, and keep open the main channel of Savannah River from Augusta to the mouth of Lightwood Log Creek in Elbert county, so as to prevent the obstruction of navigation, and the free passage of fish therein, and to punish those who may obstruct the same, and to appoint Commissioners to carry the provisions of this act into effect, and to point out the mode of their compensation.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, the commissioners hereinafter named, or a majority of them, shall have full power and authority to survey, or cause to be surveyed and laid off, the main channel of Savannah river, from Augusta to the mouth of Lightwood Log Creek, in Elbert county, and said commissioners or a majority of them, are hereby impowered and required to reserve and keep open for the free passage of of boats and fish, the one third part of said river in width, including the main sluice or channel thereof, at each and every place or part of said river, between the two points or places aforesaid.*

*Sec. 2. And be it further enacted, That the commissioners hereinafter named, or a majority of them, shall have full power to call to their assistance such number of the free white citizens of the respective counties opposite to which any obstruction may be found, as they may deem necessary to remove the same, and if any person or persons so summoned, shall fail or refuse to assist such commissioner or commissioners, after one day's notice so to do, such person or persons, so offending or refusing, shall, on proof and conviction thereof before any justice of the peace of the county where such offence was committed, be sentenced to pay a sum not exceeding five dollars for each and every day he or they shall fail to serve: *Provided* said commissioner or commissioners shall not cause the same individuals, so summoned, to serve more than three days at any one time, (more than three days at any time) nor more than six days in any one year.*

*Sec. 3. And be it further enacted, That if any person or persons shall obstruct, or cause to be obstructed, by dams, traps, racks, logs, trees, or any other thing or things, any*



part or portion of said main channel, so laid off and defined, for the purposes contemplated by this act, it shall be the duty of one or more of the commissioners, to give the person or persons so offending, three days notice to remove the same, & on his, her or their failure so to do, the commissioner or commissioners hereinafter named, may apply to a justice of the peace for a warrant, which warrant shall be served by any lawful officer, and cause such offender or offenders to be brought before some justice of the peace of the county where the offence may have been committed, and on proof and conviction thereof, shall be sentenced to pay a sum not less than twenty dollars for every twenty-four hours such obstruction or obstructions shall remain; and every twenty-four hours such obstruction or obstructions may remain after notice given in terms of this act, shall be deemed and taken as a separate offence, and may be punished accordingly.

*Sec. 4. And be it further enacted,* That if any person or persons shall employ an agent or agents for the purpose of obstructing, or placing any trap or traps in said main channel, or who may be found fishing any trap or traps placed therein, it shall be the duty of said commissioner, on information thereof, to prosecute such agent or agents in the same manner as pointed out by the third section of this act; and should such agent or agents be notoriously insolvent, or non residents of this State, it shall be the duty of the justice or justices before whom such offender or offenders are tried, to commit such offender or offenders to the common jail of the county opposite to which the offence was committed, for a time not less than one day nor more than two months, at the discretion of the court; and the person or persons who employed such agent or agents, shall be liable to pay, on action of debt, before any justice of the county where such employer may reside, a sum not less than twenty dollars for each and every offence so by them committed, and should any slave or slaves be found obstructing or fishing any trap or traps in said main sluice, such slave or slaves shall be taken before some justice of the peace, and on conviction thereof, shall receive thirty-nine lashes on his bare back, and the owner or owners of such slave or slaves shall pay all costs incurred thereby; and if a free person of color shall be found offending against the provisions of this act, he, she or they, shall be dealt with in like manner as slaves, and imprisoned until they pay all costs, at the discretion of the court.

Sec. 5. *And be it further enacted*, That the commissioners hereinafter named, shall, before they proceed to the duties required of them by this act, take the following oath or affirmation, viz: "I, A. B. do solemnly swear, that I will, to best of my ability, discharge the duties required of me, in terms of this act, as a commissioner of Savannah river, & faithfully execute the trust reposed in me, without favor or affection—So help me God." And said commissioners, or a majority of them, so qualified, shall, on or before the fifteenth day of February, eighteen hundred and thirty, or so soon thereafter as may be convenient, proceed to survey, lay off and define the main channel of said river, in conformity with the provisions of the first section of this act, commencing at the first shoal above Augusta, and continuing up the said river to the last mentioned place in the said first section; and so soon as the same shall have been completed in the manner contemplated by this act, the commissioners who caused the said river to be surveyed and laid off, shall have power to make out a fair and correct statement of the number of days they were actually engaged in said work, and present the same to the Inferior court of the county in which they respectively reside, and on examination and approval by them, they shall issue an order in favor of such commissioner or commissioners, to the county treasurer, or where there is no county treasurer, to the clerk of the Inferior court, for an amount not exceeding two dollars per day for each day said commissioners were actually so employed, to be paid out of the moiety of the State tax reserved for county purposes: *Provided*, they shall not receive pay for more than twenty-five days in any one year.

Sec. 6. *And be it further enacted*, That should it so happen that the commissioner from any of the counties hereinafter named, should fail or refuse to do the duties prescribed in this act, the county or counties in which such defaulting commissioner or commissioners may reside, shall nevertheless bear and pay their proportional share of the expense incurred on account of opening and laying off and keeping open said main channel as aforesaid.

Sec. 7. *And be it further enacted*, That James G. Stallings, of the county of Columbia, James Jennings, Esq. of the county of Lincoln, Powhatan B. Thurman, Esq. of the county of Wilkes, Alfred Hammond, Esq. of the county of Elbert, and Benjamin H. Warren, of the county of Richmond, be, and the same are hereby appointed commissioners of Savannah river, with full power and authority to carry

into effect the provisions of this act—And should it so happen that either of the persons herein named as commissioners should fail or refuse to serve, it shall be the duty of the Inferior court of the county, where such vacancy may happen, to appoint some fit and proper person to fill such vacancy; and that all laws or parts of laws militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

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AN ACT to alter and amend an act entitled an act, to prevent obstructions to the passage of fish in the Oakmulgee River and its branches, passed on the twenty-fifth of December, eighteen hundred and twenty-one—Also an act entitled an act, to alter and more effectually to carry into effect an act, to prevent obstructions to the passage of fish in the Oakmulgee river and its branches, passed on the twenty-fifth November, eighteen hundred and twenty-four—Also to repeal an act entitled an act, to authorise David Adams of the county of Jasper, to keep open a sluice through his mill dam on the Oakmulge river within forty feet of the west bank of said river, for the free passage of fish up the same, passed on the seventh day of December, eighteen hundred and twenty-one.

Whereas great inconvenience has been experienced in carrying into effect the above recited acts: for remedy whereof;

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That To wit*

Holt, Timothy Mathews and Luke J. Morgan be, and they are hereby appointed commissioners in and for the county of Bibb—And that John Hammock, William Middlebrooks and Michael M. Healey be, and they are hereby appointed commissioners in and for the county of Jones—And that John Pitman, David Allison and William Redding be, and they are hereby appointed commissioners in and for the county of Monroe—And that Robert Bickerstaff, William Barclay and Stokely Morgan be, and they are hereby appointed commissioners in and for the county of Jasper—And that John R. Cargil, Gustavus Hendrick and John M. Pearson be, and they are hereby appointed commissioners in and for the county of Butts—And that Felix Simonton, William R. Henry and George McDill be, and they are hereby appointed commissioners in and for the county of Newton—And that James Sellers, Samuel Bryant and William McBride be, and they are hereby appointed commissioners in and for the county of Henry—who, or a majority of whom shall have complete power in their respective counties, to survey, view, ascertain and designate the main channel of the said Oakmulgee river and its branches in the following manner: Sixty feet in width up to the confluence of the South and Yellow Rivers, and from thence, forty feet in width in the south river up to the snapping shoals; and in the yellow river forty feet in width up to the cedar shoals, and in the Alcofouhatchie forty feet in width, up to Waters' mill, and in all cases where mills, fish dams or other obstructions to the free passage of fish shall be erected, there shall be an open sluice in each river as aforesaid, in the main channel of the same, over which fish may pass without difficulty.

*Sec. 2. And be it further enacted by the authority aforesaid,* Whenever the above recited streams shall have obstructions to the passage of fish placed in them; the person or persons so offending shall be liable to an indictment for a common nuisance, before any court having cognizance of the same, and on conviction thereof, shall be subject to pay a fine of one hundred dollars per day for every day such nuisance shall remain unremoved—one half of such fine to go to the informer and the other half to the county in which the offender or offenders may reside at the time of their conviction, and five days previous notice need not be given as heretofore required, by the act of eighteen hundred and twenty-four, to remove said nuisances or obstructions, but such offenders may be prosecuted forthwith according to the provisions of this act.

Sec. 3. *And be it further enacted by the authority of the same,* That an act passed on the seventh of December eighteen hundred and twenty-one, authorising David Adairs of the county of Jasper, to keep open a sluice through his mill dam, on the Oakmulgee river within forty feet of the west bank of said river, for the free passage of fish up the same, be and the same is hereby repealed.

Sec. 4. *And be it enacted by the authority aforesaid,* That the Justices of the Inferior court or a majority of them, in their respective counties, are hereby authorised to fill any vacancy that may happen by death, resignation, removal or otherwise, of any of the commissioners appointed by this act.

Sec. 5. *And be it further enacted by the authority aforesaid,* That all laws or parts of laws militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

## SHERIFFS

**AN ACT** to make Constables elective by the people, and the mode of taking their bonds, and to point out their duty in certain cases.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That an election shall be held at the place of holding justices courts in each Captain's district, on the first Saturday in January of each and every year, by persons entitled to vote for members of the General Assembly, for at least one, and not more than two Constables, which election shall be superintended by at least one of the Justices of the Peace and two freeholders; who shall hold his or their appointment until the first Saturday in January next thereafter and until his or their successor is elected and qualified.*

*Sec. 2. And be it further enacted, That before any Constable shall enter on the duty of his appointment, he shall take the usual oath, and enter into the usual bond, to be approved of by the justice or justices of the peace of their respective districts.*

*Sec. 3. And be it further enacted, That where an election should fail to be held at the time aforesaid, or a vacancy should happen, it shall be the duty of the justice or justices aforesaid, to advertise an election at three of the most public places in their district, giving at least ten days notice of the time and place, which shall be conducted in the same manner as aforesaid, and who shall hold his or their appointment until the first Saturday in January next thereafter; and until his or their successor is elected and qualified.*

*Sec. 4. And be it further enacted, That whenever notes for collection shall be placed in the hands of the constable, it shall be his duty to grant receipts for the same, and pay over the amount when collected, to the plaintiff or his, her or their agent or attorney, unless there should be*

conflicting claims, it shall then be the duty of the constable to report the same to the next Justices Court of said district, subject to the order of said court.

Sec. 5. *And be it further enacted*, That all laws and parts of laws militating against this act be, and they are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to authorise the Sheriff of Emanuel county, and his successors in office, to advertise their sales in one of the public Gazettes of Milledgeville.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, it shall be lawful for the Sheriff of Emanuel county, and his successors in office, to advertise their sales in one of the public Gazettes of Milledgeville—any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to authorise the Governor to have suit commenced against Wiley Belcher.

Whereas Wiley Belcher, now of the State of Tennessee, formerly Sheriff of the county of Twiggs in this State, did, while he was Sheriff aforesaid, collect, of debts due to the State of Georgia, considerable sums of money which he failed to pay over as required by law; and whereas the bond given by him as Sheriff, has been mislaid so it cannot now be found.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That His Excellency the Governor, be authorised to employ counsel to take the necessary steps, in having a copy of the said Sheriff's bond established, and to proceed without delay to collect the said balance now due the State from said Belcher and his securities.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to authorise the Sheriffs of Campbell and Lee to advertise their sales in any public Gazette published in Macon.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the Sheriffs of the counties of*



Campbell and Lee may advertise their sales in any of the public Gazettes published in Macon—any law to the contrary notwithstanding.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 18, 1829.

GEORGE R. GILMER, Governor.

AN ACT to reduce the Sheriff's bonds of this State so far as respects the counties of Irwin, Carroll, Early, Randolph, Rabun, Appling, Campbell, Scriven, Lowndes and Lee.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the persons elected or appointed Sheriffs of the counties of Irwin, Carroll, Early, Randolph, Rabun, Appling, Campbell, Scriven, Lowndes and Lee, shall be required to give bond and security in the sum of ten thousand dollars only, for the faithful discharge of the duties of Sheriffs office of said counties—any thing contained in the forty-sixth section of the Judiciary act of seventeen hundred and ninety-nine, to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to authorise the Sheriff, or any lawful Constable of Chatham county to enter the dwellings of Sailors, Landlords, or any other place, where just reason shall be entertained on oath, that regularly articed seamen are harboured or protected.

Whereas much inconvenience results to the Merchants, ship owners, Masters of vessels and others, residing in, or visiting the port of Savannah, from the absconding of regularly articed seamen, after receiving their advance wages; and whereas, no law exists, authorising the legal officers of said county to enter the dwellings of such persons as are supposed to harbor and secrete the said deserted seamen—whereby the said Merchants, ship owners, masters of vessels and others, are defrauded of their money they have advanced to said seamen: for remedy whereof;

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall and may be lawful for any Judge of the Superior, or Justice of the Inferior Courts, or Justice of the Peace of said county, upon oath being made before him, that a regularly articed seaman has deserted, and particularly describing the person so deserting, and also the person who is supposed to harbor or secrete said seaman, and the place where such harboring or secreting is supposed to exist, to issue his warrant, directed to any lawful officer of Chatham county, and authorising him to make search for the said deserted seaman in the place designated, and to seize said seaman when discovered; and if any resistance is made to said search or seizure, to proceed by force to carry into effect the said warrant.*

**Sec. 2.** *And be it further enacted, That if any person shall resist the said seizure or search, the person so offending, shall be subject to a penalty of not more than five hundred, nor less than fifty dollars, or imprisonment in the common jail for a term not longer than one year.*

**Sec. 3.** *And be it further enacted, That all laws, or parts*

of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT for the relief of Sheriffs in certain cases.

Whereas it is frequently oppressive upon Sheriffs to serve and return all writs and processes within the time prescribed by law : for remedy whereof,

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, it shall not be necessary as heretofore for the sheriffs of this State to serve all writs and processes at common law, twenty days before the sitting of the court to which the same may be made returnable, but the same may be served and returned seventeen days before the sitting of the court : Provided nevertheless, that all writs and processes shall be copied and issued as heretofore, twenty days before the sitting of the court to which the same may be made returnable—any law, usage, or custom to the contrary notwithstanding.*

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to reduce the amount of Sheriffs bonds for the county of Wayne and to provide for the payment of one of the presiding Magistrates from each election district in the counties of Wayne, Lowndes and Bryan, for attending at the court-house on the day after the election for the purpose of consolidating the returns.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That the sheriffs hereafter to be elected in the county of Wayne, shall only be required to give bond and security in the sum of five thousand dollars for the faithful performance of their duty, in place of twenty thousand, as heretofore required.*

**Sec. 2.** *And be it further enacted, That the presiding Magistrate at each of the election districts in said counties shall be allowed, and receive from the county treasurer, out of the county funds the sum of one dollar and fifty cents each, for their trouble in attending at the court-house on the day after the election, for the purpose of consolidating and making returns of said election.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to make valid bonds taken by the Sheriffs of this State and their deputies, Coroners and Constables, from defendants in execution for the delivery of property levied on by them.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, all bonds taken by the sheriffs of this state or their deputies, or coroners or constables from defendants in execution, for the delivery of property on the day of sale or at any other time, which they may have levied on by virtue of any fi fa, or other legal process, from any court, be, and the same are hereby declared to be good and valid in law, and recoverable in any court in this state having jurisdiction thereof.*

**Sec. 2.** *And be it further enacted by the authority aforesaid, That the bonds taken in conformity with the first section of this act, shall in no case prejudice or affect the rights of plaintiffs in execution, but shall relate to, and have effect alone between the sheriffs, their deputies, the coroners and the constables, and defendants by whom given, and the sheriff shall in no case excuse himself for not having made the money on any execution by having taken such bond, but shall be liable to be ruled as now prescribed by law.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 21, 1829.

**GEORGE R. GILMER, Governor.**

## SLAVES.

**AN ACT** to be entitled an act, to amend the several laws now in force in this State, regulating Quarantine in the several sea ports of this State, and to prevent the circulation of written or printed papers within this State calculated to excite disaffection among the coloured people of this state, and to prevent said people from being taught to read or write; and to repeal the act assented to the ninth December, eighteen hundred and twenty-four, entitled an act, to repeal the law of eighteen hundred and seventeen, prohibiting the introduction of slaves into this state.

Whereas it has become highly necessary and essential to the welfare and safety of the good people of this state that merchant vessels or ships coming by sea from other States or countries with free persons of colour acting as mariners or stewards or in any other employment or capacity on board, such vessel or vessels, should perform quarantine, and that means be adopted to prevent such persons of colour from coming into this State or from communicating with the coloured people of this State.

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That all ships or vessels coming into any part of this State by sea from any port or place in any other State, or any foreign country, having on board any free negro or free person of colour employed as a steward, mariner or in any other capacity, or as a passenger, shall be subject to quarantine for the space of forty days; nor shall it be lawful for any negro or person of colour residing in this State to go on board of such ship or vessel while riding quarantine, or to have communication with any such coloured person on board of said vessel for any purpose whatever while she is so riding quarantine.*

*Sec. 2. And be it further enacted, That if any free negro or person of colour, so coming in the said ship or vessel, shall come on shore or have any communication with any person of colour residing in this State, while the said ship*

or vessel shall be riding quarantine as aforesaid, such negro or person of colour, shall be immediately apprehended and committed to the common jail of the county where he shall be apprehended; and the Mayor or Intendant of any city or town within this State, or any Judge, or Justice of any Superior or Inferior court of this State, is hereby authorised and required to issue a warrant or warrants directed to any Sheriff, or Marshal, or Constable, of any city or town, or Sheriff or lawful Constable within this State, for the apprehension of such free negro or person of colour, and to commit him or her to any common jail within this State as aforesaid; there to remain until the said ship or vessel shall be actually departing from the waters of this State or shall be hauled off from the wharf and ready to proceed to sea, or until he or she shall be otherwise discharged by law.

Sec. 3. *And be it further enacted*, That if any negro or person of colour shall communicate with any free negro or person of colour, so coming into this State while the said ship or vessel is riding quarantine as aforesaid, such negro or person of colour so offending shall be forthwith arrested by a warrant to be issued by the authorities and in the manner hereinbefore provided and directed, as is hereinbefore provided, and on conviction thereof any Mayor or Intendant, Judge or Justice as aforesaid, before whom the said warrant shall be made returnable, shall be sentenced to be whipped not exceeding thirty nine lashes.

Sec. 4. *And be it further enacted*, That when said vessel is ready to sail, the captain of the said vessel shall be bound to carry away the said free negro or person of colour, and to pay the expenses of his detention; and in case such captain shall refuse or neglect to pay the said expenses and to carry away the said free negro or person of colour, he shall forfeit and pay the sum of five hundred dollars, to be recovered by indictment in the superior court of the county where the said offence was committed, and shall also on conviction, suffer imprisonment, in the common jail of the said county, for any term not exceeding three months: *Provided*, that no part of this act shall be construed to extend to any negro or person of colour employed on board of any steam boat, or on board of any national vessel of war.

Sec. 5. *And be it further enacted by the authority aforesaid*, That every free negro or person of colour coming into this State as aforesaid, and who shall not depart the State, in case of the captain refusing or neglecting

to carry him away, within ten days after the vessel in which he came has departed, shall be liable on conviction before any Magistrate of the county, to be whipped not exceeding thirty-nine lashes.

Sec. 6. *And be further it enacted by the authority aforesaid,* That all free negroes, or persons of colour and all other persons shall be exempted from the operation of this act where such free negroes and persons of colour, have arrived within the limits of this state, by ship wreck or stress of weather or other unavoidable accident; but such free negroes, or persons of colour, and other persons shall nevertheless be subject to the penalties of this act, if the requisites of the same be not complied with within one month after such ship-wreck, stress of weather or other unavoidable accident.

Sec. 7. *And be it further enacted,* That this act shall not be construed to extend to any free American Indian, free Moors, Lascars, or other coloured subjects of the countries beyond the Cape of Good Hope who may arrive in this State in any merchant vessel; but such persons only shall be deemed and adjudged to be persons of colour, within the meaning of this act, as shall be descended from negroes or mulattoes, either on the father's or mother's side.

Sec. 8. *And be it further enacted,* That the foregoing sections of this act, shall not be in force or deemed to operate upon any ship or vessel arriving in the ports of this state, from any other state, of the United States until the expiration of three months after the passage of this act, nor upon any ship or vessel arriving from any port or place beyond the limits of the United States, until the expiration of six months after the passage of this act.

Sec. 9. *And be it further enacted,* That the city Councils or corporate authorities, of the cities or towns of this state respectively, be, and they are hereby authorised and empowered by ordinance or otherwise to ordain and make such other provisions and regulations as may be necessary for carrying into full effect the provisions and true intent and objects of the foregoing sections of this act: *Provided,* that the same be not contrary to the constitution or laws of this state.

Sec. 10. *And be it further enacted,* That if any slave, negro, mustizzo, or free person of colour, or any other per-



son, shall circulate, bring or cause to be circulated or brought into this state or aid or assist in any manner, or be instrumental in aiding or assisting in the circulation or bringing into this state, or in any manner concerned in any printed or written pamphlet, paper or circular, for the purposes of exciting to insurrection, conspiracy or resistance among the slaves, negroes, or free persons of colour, of this state, against their owners or the citizens of this state, the said person or persons offending against this section of this act, shall be punished with death.

*Sec. 11. And be it further enacted,* That if any slave, negro, or free person of colour or any white person shall teach any other slave, negro or free person of colour, to read or write either written or printed characters, the said free person of colour, or slave, shall be punished by fine and whipping, or fine or whipping at the discretion of the court; and if a white person so offending, he, she or they shall be punished with fine, not exceeding five hundred dollars, and imprisonment, in the common jail at the discretion of the court before whom said offender is tried.

*Sec. 12. And be it further enacted,* That the act assented to, on the ninth day of December, eighteen hundred and twenty four, entitled "An Act to repeal a law passed in the year one thousand eight hundred and seventeen, prohibiting the introduction of slaves into this state only on certain conditions" be, and the same is hereby repealed, and that the act which said act repealed be, and the same is hereby revived, and shall be taken, held, considered, and enforced, as the law of this State—And that any law, contravening the provisions of said act, be, and the same is hereby repealed, and further that all laws, or parts of laws, militating against this act be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to amend the several laws of this State for the trial and punishment of slaves and free persons of colour.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act the wilful and malicious burning, or setting fire to, or attempting to burn a house in a city, town or village, when committed by a slave or free person of colour, shall be punished with death.*

**Sec. 2.** *And be it further enacted by the authority aforesaid, That the wilful and malicious burning a dwelling house on a farm or plantation, or elsewhere, (not in a city, town or village,) or the setting fire thereto in the night time when the said house is actually occupied by a person or persons, with the intent to burn the same, when committed by a slave or free person of colour, shall be punished with death.*

**Sec. 3.** *And be it further enacted by the authority aforesaid, That the trial of offenders against the provisions of this act, shall be had in the same courts, and conducted in the same manner and under the same rules and regulations as are provided by the several acts now in force in this State, for the trial of capital offences, when committed by a slave or free person of colour.*

**Sec. 4.** *And be it further enacted, That all laws, or parts of laws, militating against this act, be, and the same is hereby repealed.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to alter the second section of the act to amend the act of seventeen hundred and seventy, passed December tenth, eighteen hundred and three, so far as relates to the city of Augusta.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, so much of the above recited act as allows, or may be construed to allow, any owner or owners, of any slave or slaves, within the city of Augusta to permit his, her or their slave or slaves, for a consideration, or otherwise, to have, hold, or enjoy the privilege of labouring, or otherwise transacting business for him, her, or themselves, either upon the premises of said owner or owners, or elsewhere in said city, be, and the same is hereby repealed; any law or ordinance to the contrary notwithstanding.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

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**AN ACT** to amend an act passed on the sixteenth day of December, eighteen hundred and eleven—and also an act passed on the nineteenth day of December, eighteen hundred and sixteen, in relation to slaves and free persons of colour.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That in all trials and proceedings before Justices of the Peace & Justices of the Inferior court, under and by virtue of the act passed*

on the sixteenth day of December, eighteen hundred and eleven, and of the act passed on the nineteenth day of December eighteen hundred and sixteen, in relation to slaves and free persons of colour, and of any acts amendatory thereof, when either party shall be dissatisfied with any decision of the court before whom such trial or proceedings may be had, affecting the real merits thereof, such party shall, and may offer exceptions in writing to such decision, which shall be signed by such party, or his or her attorney, and if the same shall be overruled by said court, the party making the exceptions may on twenty days notice to the opposite party, or his or her attorney, apply to one of the Judges of the Superior court, and if such Judge shall deem the exceptions sufficient, he shall forthwith issue a writ of certiorari to said Justices, or to the Clerk of the Inferior court, as the case may be, requiring the proceedings in said matter to be certified and sent to the Superior court next to be held in and for the county in which said proceedings or trial may have been had—and at the term of the court to which such proceedings shall be certified, said superior court shall determine thereon, and make such order, judgment and decision as shall be agreeable to law and justice.

*Sec. 2. And be it further enacted by the authority aforesaid,* That when exceptions shall be offered in manner aforesaid, the said justices before whom said trial or proceedings may be, shall suspend the execution of their judgment and sentence for forty days—and when a certiorari shall be sanctioned in manner aforesaid, the Judge issuing the same, shall order the said judgment and sentence to be suspended until the final order and decision of said superior court shall be had in the cause.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to prohibit the employment of slaves and free persons of colour in the setting of types in printing offices in this State.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met,* That no slave or free person of colour shall be employed in the setting of types in any printing office in this State, and that if any owner or proprietor of a printing press, or any person having the charge and control of a printing press in this State shall use or employ a slave or free person of colour in the setting of types, or shall suffer a slave or free person of color to be so employed in his office, such owner, proprietor, or person shall forfeit the sum of ten dollars for every slave or free person of colour who may be so employed on any day or part of a day, to be sued for and recovered by an action of debt in the justice's court of the district wherein the offender may reside, by and in the name and to the use of any person who shall prosecute for the same.

*Sec. 2. And be it further enacted by the authority aforesaid,* That when there are several owners or proprietors of such press, the suit herein authorised shall and may be brought against any one or more of the owners or proprietors who may be resident in the county wherein such offence may be committed, or against the person having the charge and control of the printing press in the office or house in which the offence may have been committed—and the process shall require the defendant or defendants to answer in an action of debt for a breach of the provisions of this act.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 22, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to regulate slaves and free persons of colour in the towns of Clinton and Macon.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall not be lawful for any slave or free person of colour to keep a house of entertainment, or to vend any goods, wares, merchandize, spirituous liquors, or provisions, for their own profit, (other than what is allowed by the existing laws of this State,) within the corporate limits of the town of Clinton.*

*Sec. 2. And be it further enacted, That no slave shall be allowed to hire his or her time from his or her owner or manager, nor shall any slave be allowed to work or carry on any traffic upon his or her own account, or for the purpose of procuring a livelihood, or raising money to pay his or her hire wages, within the limits aforesaid.*

*Sec. 3. And be it further enacted, That it shall not be lawful for any person having the ownership or management of any slave or slaves, to suffer such slave or slaves to hire his, her, or their time, or to go at large seeking employment at the discretion of such slave or slaves, within the limits aforesaid, nor shall it be lawful for any person to hire any slave and permit such slave to work or carry on any business of traffic, for his or her own benefit or account, within the limits aforesaid.*

*Sec. 4. And be it further enacted, That it shall not be lawful for any person being the owner or having the management or control of any house or tenement in said towns, to rent the same to any slave or free person of colour, or to suffer any free person of colour, or slave, not his or her own property to occupy the same, nor shall it be lawful for any owner or manager of any slave to permit such slave to live in any house or tenement in said towns, unless the same be a kitchen or out-house within the enclosed premises whereon said owner or manager resides.*

*Sec. 5. And be it further enacted, That any white person offending against the provisions of this act, shall be liable to be presented or indicted before the superior court for such offence, and on conviction thereof.*

shall forfeit and pay a fine of thirty dollars for each and every such violation, one half to belong to the informer, or prosecutor, and the other half to be paid over to the commissioners of the roads, to be applied to the improvement of the streets of said towns.

Sec. 6. *And be it further enacted*, That every slave or free person of colour who shall offend against any of the provisions of this act, shall be liable to, and receive not less than twenty, nor more than fifty lashes for every time he or she shall so offend, to be inflicted by the constable of the district in which said towns are situated.

Sec. 7. *And be it further enacted*, That the justices of the peace of the district in which said towns are situated, or either of them, shall have jurisdiction and cognizance of all and every infraction or violation of this act by any slave or free persons of colour.

Sec. 8. *And be it further enacted*, That it shall be the duty of the constable of said district, in case any slave or free person of colour shall violate the provisions of this act, to apprehend such slave or free person of colour and take him or her before one of the justices of the peace of said district, whose duty it shall be to hear and determine upon the guilt or innocence of such slave or free person of colour, and in the event of conviction shall direct the constable (whose duty it shall be) to inflict the punishment pointed out in the sixth section of this act; and the cost and legal expenses of said trial shall be paid by such free person of colour, or by the owner or manager of such slave, so convicted as aforesaid.

Sec. 9. *And be it further enacted*, That it shall be the duty of said constable to search into and prosecute every violation of this act, and in case he shall wilfully and knowingly fail or neglect to do so, he shall, for every such failure be liable to be presented or indicted before the superior court, and upon conviction, shall pay a fine of fifty dollars or be imprisoned at the discretion of the court, for not less than one nor more than ten days.—The provisions of this act, in all respects, to apply to the town of Macon.

Sec. 10. *And be it further enacted*, That all laws, or parts of laws, militating against the provisions of this act shall be, and the same are hereby repealed.

WARREN JOURDAN,

Speaker of the House of Representatives.

THOMAS STOCKS,

President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

## TAXES.

AN ACT to impose, levy and collect a tax for the political year eighteen hundred and thirty, on property, real and personal, and to inflict penalties for neglecting or failing to comply with the provisions thereof.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same,* That the act passed the eighteenth day of December, eighteen hundred and twenty-five, together with all acts, and parts of acts, which said act revived and continued in force, shall be, and they are hereby declared to be revived and continued in force as the tax act for the political year eighteen hundred and thirty.

Sec. 2. *And be it further enacted,* That all brokers, private bankers, or exchange merchants, or firm or firms of brokers, private bankers or exchange merchants, note shavers, and their agents, in this State, shall, on or before the first day of August next, return, on oath, to the receiver of tax returns, of the respective counties of this State, where he or they shall reside or do business, the maximum amount of capital which he or they have employed since the first day of January, eighteen hundred and thirty, or intend to employ in the said business during said year; and the said brokers, private bankers, or exchange merchants, or firm or firms of brokers, private bankers, exchange merchants, and note shavers, or their agents, shall pay a tax of thirty-one and one fourth cents on every hundred dollars of capital so returned, to be levied and collected by the tax collectors of the respective counties, as in other cases—*Provided,* that in all cases, under this section, where a firm shall be required to make a return, as above specified, that a return by one member for and in behalf of the firm to which he belongs, shall be deemed sufficient.

Sec. 3. *And be it further enacted,* That on all persons who have or may hereafter issue, or have in circulation, any change bill or bills of any kind, issued or put in circulation without a charter, there shall be levied a tax of fifty per cent. on the amount issued and in circulation on the first of August, in each year.



Sec. 4. *And be it further enacted,* That nothing in the above section shall be so construed as to alter or change the acts now in force relating to unchartered banks in this State, and imposing penalties for issuing change bills by private persons or associations.

Sec. 5. *And be it further enacted,* That if any person or persons, except the incorporated Banks of this State, shall be found, after the second day of August next, and during said year of eighteen hundred and thirty, doing the business of a broker, private banker, or exchange merchant, or note shaver, or as their agent, without having made the return required by the second section of this act, it shall be the duty of the receiver of tax returns for the county where said broker or broker, private banker or bankers, exchange merchant or merchants, or note shavers, or his or their agent or agents may reside or do business, to return said broker or brokers, private banker or bankers, exchange merchant or merchants, or note shaver or his or their agent or agents as defaulters, who shall pay a tax for said year of five thousand dollars, to be levied and collected by the tax collector as in other cases, or by a *capias ad satisfaciendum*.

Sec. 6. *And be it further enacted,* That one half of the tax of each county, so directed to be levied shall be paid into the treasury of this State, as heretofore, and the other half to the inferior court of the respective counties, for county purposes, to be placed by them in the hands of the county treasurer, where there are treasurers, and where none, the clerk of the inferior court, for safe keeping, to be appropriated by said courts to the building of court-houses and jails, and to the building of bridges, the improvement of public roads, and for the support of the poor, and for the education of youth, as said courts may severally direct as most expedient, any law, usage or custom to the contrary notwithstanding.

Sec. 7. *And be it further enacted,* That it shall be the duty of the justices of the peace in each Captain's district in this State, to make a return to the receiver of tax returns of all persons liable to pay taxes on their respective districts, and that all laws making it the duty of Captains of districts to make return to the receivers, be, and the same is hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 31, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to authorise the justices of the inferior court of Crawford county to levy and collect an extra tax for county purposes, not exceeding fifty per cent on the general tax for the years eighteen hundred thirty and thirty-one.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall and may be lawful for the justices of the inferior court of Crawford county, or a majority of them, to levy an extra tax upon the citizens of said county, for county purposes, for the years eighteen hundred thirty and thirty-one—Provided always, that said extra tax shall not exceed fifty per cent. on the amount of the general tax heretofore levied and collected by authority of the laws now of force in this State.*

**Sec. 2.** *And be it further enacted, That, when the afore-said tax shall be levied according to the provision of this act, the same shall be collected in the same manner and under the same regulations as is prescribed by the existing laws of this State, and when collected, shall be applied in discharge of the several debts now due from said county.*

**Sec. 3.** *And be it further enacted, That all laws, and parts of laws, militating against this act, be, and the same are hereby repealed, so far as respects the said county of Crawford.*

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 18, 1829.

**GEORGE R. GILMER,** Governor.

**AN ACT** to authorise the inferior court of Franklin county to levy an extra tax for the support of the poor in said county,

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same,* That the inferior court of the county of Franklin, be, and they are hereby authorised to levy an extra tax on the citizens, and all taxable property in said county, for the support of the poor, not exceeding fifteen per cent. on the general tax.

**Sec. 2.** *And be it further enacted,* That the collector shall be bound to collect and pay over to the clerk of the inferior court all such taxes as may be assessed by the inferior court, under the same restrictions as heretofore enacted in such cases, any law to the contrary notwithstanding.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER, Governor.**

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## TOWNS.

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**AN ACT** to extend and determine the corporate limits of the town of Macon, lying on the East side of the Ocmulgee river, and to bring the lots therein named under the corporate jurisdiction of the said town, and to name the part of the said town lying the East side of said river.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in general assembly met,* That from and after the promulgation of this act, the one acre lots on

the East side of the Ocmulgee river, opposite the town of Macon, in the county of Bibb, be, and the same are hereby declared to be within the corporate limits of said town, and that the said one acre lots shall and are hereby declared to be subject to all the ordinances and police regulations of the corporation of the town of Macon.

Sec. 2. *And be it further enacted by the authority aforesaid,* That all that part of the said town of Macon, on the East side of the Ocmulgee, shall hereafter, for the sake of designation, be called and known as East Macon—*Provided always,* that all ordinances or police regulations of the corporation of said town shall be binding and valid over the lots first aforesaid, without designating in the said ordinances or regulations that they are to extend to East Macon.

Sec. 3. All laws militating against the foregoing are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec, 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT to incorporate Vernon, in Troup county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority aforesaid,* That from and after the passage of this act, Woody Dozier, Reuben Stilwell, Franklin McLemore, Eliot Reed, and Homer Hines, be, and they are hereby appointed commissioners of the town of Vernon, and shall continue in office until successors are appointed according to the provisions of this act.

Sec. 2. *And be it further enacted,* That on the second Tuesday in January, eighteen hundred and thirty, and on the

second Tuesday in January, every year thereafter, it shall be lawful for all persons, inhabitants within the corporate limits of said town, entitled to vote for members of the legislature, to assemble at some convenient place in said town, to be pointed out by said commissioners, and under the superintendence of two or more justices of the peace of said county, to elect by ballot, five commissioners, who shall continue in office for one year, and until their successors are elected, and if it shall so happen that such election shall not take place on the day before appointed, it shall be lawful for the same to be held on any other day, in the manner and form before prescribed by this act, upon ten days notice being given in two or more public places in said town.

Sec. 3. *And be it further enacted*, That the aforementioned commissioners, and their successors in office, shall have power and authority to pass all laws, rules and regulations, and all other matters of police as shall seem to them conducive to the health, peace and well-being of the inhabitants thereof—*Provided* the same is not repugnant to the constitution and laws of this State and of the United States, and shall have full power and authority to appoint such officers as may be necessary to carry into effect and execute such rules and regulations.

Sec. 4. *And be it further enacted*, That said commissioners, and their successors in office, shall have corporate jurisdiction over the fraction on which said town is situated, and all other lots that may hereafter be laid out in said town, and shall have exclusive control of all patrols and persons liable to work on the roads within the same.

Sec. 5. *And be it further enacted*, That said commissioners, and their successors in office, shall have power to levy a poll tax on the inhabitants and property of said town—*Provided* the poll tax shall not exceed one dollar, and other tax shall not exceed that required by the State.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 21, 1829.

GEORGE R. GILMER, Governor.

**AN ACT to incorporate *The Augusta Independent Fire Company.***

Whereas a voluntary association of individuals has been formed in the city of Augusta, under the name and style of The Augusta Independent Fire Company, whose laudable object is the protection of the property of said city from destruction by fire, and to guard against a repetition of those awful calamities with which said city has been so frequently visited—And whereas the said persons, for the better enabling them to effect the object of their association, are desirous of being incorporated:

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That Augustin Slaughter, Alfred Cumming, William T. Gould, Jacob G. McWhorter, Samuel H. Peck, and all others who are or may become members of said company, by admission, according to the constitution and bye-laws of said company, are hereby declared to be a body corporate, in deed and in name, under and by the name and corporate style of The Augusta Independent Fire Company, and by that name shall have a perpetual succession of officers and members, and by said name shall sue and be sued, plead and be impleaded in any court of law or equity in this State, and shall have power to make and use a common seal, and the same at pleasure to break, change, or alter, and the full and complete power of establishing, changing and amending such constitution, bye-laws and regulations, as may have been already, or may hereafter be framed and adopted by the officers and members of said company—Provided such constitution, bye-laws and regulations be not inconsistent with the constitution and laws of the State or United States.*

*Sec. 2. And be it further enacted, That the said company may impose fines and enforce the collection of the same by any means not inconsistent with the judiciary and laws of the State, and may also expel members with a forfeiture of all interest in said company, under such rules and regulations as are, or may be, by said company established.*

*Sec. 3. And be it further enacted, That all deeds of property intended to be conveyed by said company, shall be*

sealed with the corporate seal, signed by the Captain and countersigned by the Secretary of said company, with such other formalities as the existing laws of the State require.

Sec. 4. *And be it further enacted,* That no bill, bond, note, or other obligation, for money or other thing, or any instrument or transfer of any negotiable security or instrument, shall be binding on said company unless signed by the Captain and countersigned by the Secretary of said company.

Sec. 5. *And be it further enacted,* That the said company, in its corporate name, may contract and be contracted with, and in that name sell and convey property at any time belonging to said company, both real and personal, and receive gifts, donations, legacies, gratuities and conveyances by deed, will, writing or otherwise, for the use and benefit of said company; and are declared to be invested with all privileges, powers and advantages, rights, immunities, exemptions and franchises of a body corporate, for the purposes of their institution.

Sec. 6. *And be it further enacted,* That all officers and men of said company shall be exempt from military duty duty, except in case of war, invasion, or insurrection.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to amend an act entitled an act, to authorise and provide for the building of an Arsenal in the City of Savannah for the preservation and better security of the arms and munitions of war, the property of the State in said city.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall, and may be lawful for the Corporation of the city of Savannah, or any and every volunteer corps now or which may hereafter be raised in said city, to deposit in the Arsenal about to be erected in said city, all arms and munitions of war belonging to the said corporation or any volunteer corps of said city now, or which may hereafter be raised therein.*

**Sec. 2.** *And be it further enacted,* That all laws or parts of laws militating against this act, be, and the same are hereby repealed.

**WARREN JOURDAN,**  
Speaker of the House of Representatives.

**THOMAS STOCKS,**  
President of the Senate.

Assented to, Dec. 19, 1829.

**GEORGE R. GILMER,** Governor.

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**AN ACT** to incorporate the town of Bainbridge in Decatur county.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, Peter Cohen, Daniel Belcher, Jethro W. Keith, Matthew R. Moore and Jeremiah H. Taylor, be, and they are hereby incorporated*



and made a body politic, under the name and style of the "Commissioners of the town of Bainbridge" with the power of using a common seal, suing and being sued, pleading and being impleaded, and doing and performing all other acts, incidental to corporations of like kind.

Sec. 2. *And be it further enacted*, That the corporate limits of said town shall be designated, as follows: commencing at the river, at the corner of fraction number two hundred and twenty-five and two hundred and twenty-six: thence a southeast direction, thirty-one chains and ninety-one links: thence due south twenty-two chains thirty-six links: thence a due west direction thirty-eight chains: thence due north fourteen chains seventy-five links, to the river: thence up the low water mark of said river to the point of beginning.

Sec. 3. *And be it enacted*. That all acts or parts of acts, operating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,

Speaker of the House of Representatives.

THOMAS STOCKS,

President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to extend the jurisdiction and powers of the corporation of the city of Savannah for certain purposes, and to allow persons residing within the said limits to vote for Aldermen of the said city.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority aforesaid*, That from and after the the passage of this act, the jurisdictional limits of the city of Savannah and the Hamlets thereof shall be ex-

tended to one mile beyond the present jurisdictional limits as fixed by law, for the purposes only which are hereinafter specified.

*Sec. 2. And be it further enacted by the authority aforesaid,* That the Mayor and Aldermen of the said city shall have the control and regulation of all shops, stores or bar rooms that now are or may hereafter be erected within the said extended limits, and shall have the sole regulation and power of governing and licensing Taverns and granting licences for retailing liquors within such extended limits, under such rules and regulations as may from time to time seem advisable

*Sec. 3. And be it further enacted,* That all persons residing within the said extended limits, shall be entitled to vote for Aldermen of the said city and hamlets in the same manner and upon the same conditions as if they resided within any of the wards of the said city: *Provided,* that nothing in this act shall be construed as to authorise the Mayor and Aldermen of the said city to impose any tax upon persons or property in the aforesaid extended limits, except taxes for licences aforesaid, and fines imposed by any ordinance of said corporation made to carry this act into effect.

*Sec. 4. And be it further enacted,* That all laws and parts of laws militating against this act be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to make permanent the site of Public Buildings in the town of Campbellton, in the county of Campbell, and to incorporate the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That the public buildings in the town of Campbellton in Campbell county, shall be, and remain permanently located and fixed at and upon the place which said town now occupies.

*Sec. 2. And be it further enacted,* That Gilbert Coffee, Samuel Keller, Thomas Smith, Andrew Clark and John M. Anthony, be, and they are hereby appointed Commissioners for the said town of Campbellton.

*Sec. 3. And be it further enacted,* That the said commissioners for the said town of Campbellton or a majority of them, shall have power and authority to pass all bye laws and ordinances which they or a majority of them may deem necessary and expedient, for the well government and good order of the same ; to lay and collect a tax for the support of said town, and do all other things as a body corporate, which may not be repugnant to the constitution of this State, or the United States.

*Sec. 4. And be it further enacted,* That the corporate authority and jurisdiction of said commissioners shall extend to, and be exercised over all lots which now are, or which may hereafter be laid out within said town.

*Sec. 5. And be it further enacted,* That on the first Saturday in January of the year eighteen hundred and thirty-one, and on the first Saturday in January in every year thereafter, all free white male persons who have resided in said town ten days previous, who are entitled to vote for members of the General Assembly, shall assemble at the court house in said town, and by ballot elect five commissioners, who shall continue in office one year, and until their successors are elected, at which election one or more Magistrates or a Judge of the Inferior court of said county shall preside, and in case of the removal, resignation or death of any of said commissioners, the remaining commissioners or a majority of them, shall have power and authority to fill such vacancy for the time being.

Sec. 6. *And be it further enacted*, That if said election should not take place on the day pointed out by this act, it shall be lawful for it to be held on any other day, ten days notice of the same being given by a justice of said county or one or more of said commissioners.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 3, 1829.

GEORGE R. GILMER, Governor.

#### AN ACT to incorporate St. Marys Library Society.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority aforesaid*, That Archibald Clark, President, E. McIntosh Vice-President, M. Miller, Treasurer, R. Clark, Secretary, and W. Aldrich, M. Alberti, L. Church, P. Clark, B. A. Copp, H. Elbert, J. Hickman, J. H. McIntosh, H. R. Pratt, J. Stotesbury, L. Shaw, H. R. Sadler, O. Poincey, E. Desclaux, M. Smith, H. Bacon, A. Steele, R. Lang, be members of the "St. Marys Library Society," and the successors of the said officers, and all and every person or persons who may hereafter become members of the said Society, shall be, and they are hereby declared to be a body corporate in deed and in name, by the name and style of "St. Marys Library Society," and by the said name shall have perpetual succession of officers and members, and a common seal to use, with power to make, alter, change and amend such bye laws and regulations as may be agreed upon by the members of the said society: *Provided*, such laws be not repugnant to the constitution and laws of the State.

Sec. 2. *And be it further enacted*, That the said association of persons and their successors, shall have privilege

to sue for and recover all monies that now are, or may hereafter become due to said society, by any name or in any manner whatsoever, and the rights and privileges of the said society, in any court to defend and to receive, to hold real and personal property, and to take and apply all or any donations made to said society, and generally they shall, and hereby are declared to be vested with all the privileges, powers and advantages, rights and immunities, of a society of people incorporated for the purposes intended by their institution.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT to appoint Commissioners to select a scite for the public buildings for the county of Randolph, and make permanent the same.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That Matthew Averett, Thomas H. Sharp, Jarid Irwin, John R. M. Neal, Elisha Mosely, Richard J. Snelling and Benjamin H. Brown, Esq's. be, and they are hereby appointed commissioners, to select a scite for the public buildings in the county of Randolph, which scite when so selected by the said commissioners or a majority of them, shall be held and deemed as the permanent scite for the public buildings for the county aforesaid.*

Sec. 2. *And be it further enacted, That said commissioners, or any five of them are hereby authorised to purchase a lot or a parcel of land for the same,*

and proceed to lay off lots in the public scite in said county, and expose to public sale after giving thirty days notice in some public Gazette in this State, of the time and place of said sale, the proceeds of such sales of lots, to be returned to the Inferior court of said county, as well as the lands purchased for the public scite as a county fund, reserving sufficient to pay for purchasing the land for a county scite and expenses incurred with regard to the same.

Sec. 3. *And be it further enacted*, That the Inferior and Superior courts, and all other county courts and elections for the county of Randolph, shall be held at a place the inferior court shall from time to time point out, until the commissioners appointed by this act shall have selected a scite for the public buildings in the county aforesaid and shall have proceeded by a written notification to inform the Inferior court of said county of such place and circumstances, and it shall be the duty of the Justices of the Inferior court of said county to advertise the same, stating the lot of land selected for the public scite in said county at three of the most public places in the same, and it shall thereon immediately become the permanent scite of said county.

Sec. 4. *And be it further enacted*, That it shall be the duty of the Inferior court of said county so soon as the commissioners have selected a public scite and run off and sold the lots, in conformity with the provisions of this act, to proceed and let out the building of a court house and jail in said county, after such plan and under such regulations as a majority of them may think expedient at such scite.

Sec. 5. *And be it further enacted*, That nothing in this act shall be so construed as to compel the commissioners to select a public scite by any particular time; but if it shall be deemed inexpedient by them to select a county scite, they shall inform the Inferior court of the same, stating their reasons for postponing the same, that no choice or purchase shall be made until five of the commissioners agree to the same—All laws militating against this act be, and the same is hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to establish and make permanent the public site in the county of Wayne.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first Monday in January next the site for the court house and public buildings for the county of Wayne, shall be established and made permanent on a four acre lot of land, given to the said county by William Clemants, Esq. for the purpose of establishing said court house and public buildings thereon, on the south side of said Clemants' mill branch, near where the court house road crosses the said branch about one mile from the Village of Waynesville, and about four miles from Ammons' ferry on Great Satilla River.

*Sec. 2. And be it further enacted,* That courts in the county of Wayne, shall from the said first Monday in January be held; and the other public business of the county shall be transacted at the aforesaid public site in the said county.

*Sec. 3. And be it further enacted,* That the elections for Governor, Representatives to Congress, members to the State Legislature, Electors to vote for President and Vice-President of the United States, and county officers, shall be, after the said first Monday in January next, held at the aforesaid public site except those places already established by law in said county, as election districts, heretofore passed the twenty-second of December, eighteen hundred and twenty-five.

*Sec. 4. And be it further enacted,* That all laws, or parts of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 4, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to amend an act entitled an act, to define the duties and authority of the Commissioners of the town of Lawrenceville in Gwinnett county, passed December the twenty second, eighteen hundred and twenty-three.

Whereas the before recited act invests the commissioners of the Town of Lawrenceville, with exclusive authority to regulate road and patrol duty within the corporate limits of said town, and whereas experience has shewn that such authority requires limitation.

*Be it therefore enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the second Monday in January next, the commissioners of the said town, shall for neglect of duty in regard to road or street regulations, be held accountable and liable in the same manner and to the same authorities as commissioners of roads are in the county of Gwinnett.*

*Sec. 2. And be it further enacted by the authority aforesaid, That the commissioners of said town, shall for neglect or failure to enforce the necessary patrol regulations, within the corporate limits of said town, be amenable in the same manner and to the same authorities as officers of militia are, for a like failure of duty.*

*Sec. 3. And be it further enacted, That on failure of the citizens of said town entitled to such privilege, to elect commissioners thereof on the second Monday in January in any year, or on failure on the part of such commissioners, so elected, to qualify within five days after such election, or in case of a vacancy existing at any time thereafter for the space of twenty days in the offices of a majority of the board of commissioners aforesaid, then and in any such case, the authorities invested with road and patrol regulations within the district in which said town is situated, shall respectively resume and exercise such authorities, within the corporate limits of said town, until the succeeding second Monday in January following such neglect.*

*Sec. 4. And be it further enacted, That no resignation of any commissioner of the town aforesaid, shall exonerate him from the liabilities herein provided, unless notice thereof*



shall have been given to one of the commissioners of roads and the Captain or commanding officer of the district including said town.

Sec. 5. *And be it further enacted*, That all laws, or parts of laws, militating against this act, be, and they are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

AN ACT to amend an act entitled an act to incorporate the town of Darien.

*Be it enacted by the Senate and House of Representatives of the State of Georgia in general assembly met, and it is hereby enacted by the authority of the same*, That from and after the fourth Monday in November eighteen hundred and twenty-nine, the election of Aldermen for the city of Darien, shall take place on the first Monday in September ensuing, and on the first Monday in September in every year thereafter.

Sec. 2. *And be it further enacted*, That the Aldermen elected on the first Monday in September next, shall commence their duties on the fourth Saturday in November thereafter, and after all future elections on the first Saturday in September of each year.

Sec. 3. *And be it further enacted*, That all laws or parts of laws militating against this act, be, and they are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 19, 1829.

GEORGE R. GILMER, Governor.

**AN ACT** to establish rates of dockage, wharfage and storage in the City of Savannah, and to repeal all laws or parts of laws militating against the same.

Whereas by a vast increase of trade in this State many articles are now imported into, and exported from it, for which no rates of wharfage for landing and for shipping at the port of Savannah are specified by any former act.

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, the several owners or occupiers of wharves in Savannah shall be allowed to charge, demand and receive the several rates herein after mentioned, for the wharfage or dockage of vessels lying at the wharves for the landing of produce and other goods, and for the shipping of the same, and for the storage thereof, and no more—that is to say :*

*Rates of Dockage, Wharfage and Storage.*

Anvils, three cents each.

anchors of five hundred pounds and under twelve hundred pounds twelve cents.

anchors of twelve hundred pounds eighteen cents, and upwards of twelve hundred pounds twenty-five cents.

Butts, and casks two hundred gallons and upwards, twenty-five cents.

Barrels Ale, Apples, three cents,

Barrels Alcohol, five cents.

Barrels Beef, Beer, Bread, Bacon, three cents.

Barrels coffee, corn, cider, three cents.

Barrels empty, one cent.

Barrels fish, flour, three cents.

Barrels Gun-powder, one hundred pounds and upwards, five cents.

Barrels gun-powder under one hundred pounds, four cents.

Barrels Gin, five cents.

Barrels hams, herrings, or indigo, three cents.

Barrels lime, four cents.

Barrels molasses, five cents.

- Barrels nuts, or onions, three cents.
- Barrels oil, five cents.
- Barrels potatoes, pitch, plaster paris, porter, pork, pimento, pepper, three cents.
- Barrels rice, same in half barrels, four cents.
- Barrels rosin, three cents.
- Barrels rum, and other spirituous liquors, five cents.
- Barrels salt, sugar, turpentine, tar, three cents.
- Barrels vinegar, wine and whiskey, five cents.
- Barrels, halves and half-quarter casks of liquors, three cents.
- Barrels, halves of provisions, ale, beer, cider &c. two cents.
- Bolts bagging, canvass, duck, osnaburgs (or per piece) two cents.
- Boxes dry goods upwards four feet square, six cents.
- Boxes dry goods under four feet square, four cents.
- Boxes axes, candles, chocolate, cheese, cordials, dates, figs, glass of fifty feet, herrings, indigo, prunes, raisins, starch, segars, tin plate, two cents.
- Boxes lemons and oranges, three cents.
- „ Sugar, five cents.
- „ Tobacco, three cents.
- Bales cotton, five cents.
- Bales bagging, canvass, carpeting, blankets and other dry goods, five cents.
- Bales deer skins, five cents.
- Bales hay, six cents.
- Bales empty bottles, five cents.
- Baskets nests, two cents.
- Baskets oil, Wine, cordial &c. two cents.
- Bacon per thousand pounds, thirty-seven and a half cents.
- Bark (Tanners) per cord, thirty-seven and a half cents.
- Bellows (house) two cents.
- Bellows (blacksmith's,) six cents.
- Brick and tile per thousand twenty-five cents.
- Bundles brooms, handboxes, collars, hames, pans, sythes, spades, shovels, trees, vines, vices, &c. three cents.
- Bags almonds, coffee, cocoa nuts, peper, pimento, ginger, three cents.
- Bags grain, one cent.
- Bags shot, one half cent.
- Ballast per ton, twenty five cents.
- Bale rope per coil, three cents.
- Cultivators, six and one fourth cents.
- Corn shellers, six and one fourth cents.

- Cambouses, twenty cents.
- Cheese per hundred pounds in bulk, two cents.
- Carriages of four wheels, one dollar.
- Carriages of two wheels, fifty cents.
- Chairs, sitting, one cent.
- Carboys vitriol, three cents.
- Cannon carriages, three cents.
- Cordage per coil, three cents.
- Cannons of six hundred pounds and under, twenty-five cents.
- Cannons over six hundred pounds, fifty cents.
- Cables, chain per ton, twenty five cents.
- Coal per ton, thirty five cents.
- Crates crockery, onions &c. ten cents.
- Cabbages per hundred, twelve and one half cents.
- Casks crockery, coffee, eight cents.
- Casks cheese, four cents.
- Casks porter six dozen and upwards, eight cents.
- Cattle, bulls, oxen, cows, twenty-five cents.
- Demijohns, liquor, two cents.
- Demijohns empty, one cent.
- Furniture, tables, bureaux, &c. six cents.
- Fish dry per hundred pounds, two cents.
- Furnaces, portable, two cents.
- Grain in bulk, barley, corn, peas, wheat, and other kinds per hundred bushels, twenty five cents.
- Hams, each, one half cent.
- Hogsheads, liquors, molasses, oil, &c. eighty gallons and upwards, ten cents.
- Hogsheads sixty gallons and upwards, eight cents.
- Hogsheads sugar one thousand pounds and over, twelve and one half cents.
- Hogsheads sugar under one thousand pounds, eight cents.
- Hogsheads coffee seven hundred pounds and over, ten cents.
- Hogsheads coffee under seven hundred pounds, eight cents.
- Hogsheads dry goods, twelve and one half cents.
- Hampers, bottles, six cents.
- Hampers potatoes two cents.
- Horses, mules, jack asses, &c. thirty-seven and one half cents.
- Iron, bar, and pig per ton, twenty-five cents.
- Iron hollow ware, and other castings, each under forty pounds weight, one cent.

Iron hollow ware over forty pounds weight, per hundred pounds, two and a half cents.

Iron grates, stoves, &c. six cents.

Iron pots, kettles, and ovens with covers, dogs per pair, waggon boxes per set to be considered as one piece, one cent.

Jugs, jars, and other clay and stone ware, one half cent.

Jugs pickles, grapes, raisins, &c. one cent.

Kegs nails, tobacco, three cents.

Kegs fifty pounds and under, two cents, over fifty pounds, three cents.

Kegs liquor, twenty gallons and under, two cents.

Kegs powder per twenty five pounds, two cents.

Kegs buscuit, crackers, lard, &c. one cent.

Kegs paints and others same size, one cent.

Kegs shot, lead, &c. per hundred pounds, one cent.

Lumber, timber, boards and other sawed lumber per thousand superficial feet, thirty cents.

" Mahogany per thousand superficial feet, forty cents.

" Pipe and hogshead staves per thousand, thirty cents.

" Barrel staves per thousand, twenty cents.

" Heading for pipes and hogsheads, fifty cents.

" Heading for barrels, twenty-five cents.

" Shingles, twelve and one half cents.

" Reeds and hoops per thousand, twenty five cents.

" Laths, twelve and one half cents.

" Lightwood, cedar posts and other logs each, one half cent.

Nests tubs, three cents.

Onions per one hundred ropes, twelve and one half cents.

Oranges per thousand, twelve and one half cents.

Pipes liquor one hundred gallons and upwards, twelve and one half cents.

" " Of sixty gallons and upwards, eight cents.

" " Halves under sixty gallons six cents.

" " Quarters under forty gallons, five cents.

" " Eighths, under twenty gallons, three cents.

Ploughs and cultivators, six and one fourth cents.

Pine apples per hundred, six cents.

Potatoes per hundred bushels, twenty five cents.

Paper, bundle of two reams (printing) two cents.

" " Wrapping one ream, large size, two cents.

" " Wrapping, small per ream, one cent.

" " Writing, per ream one cent.

Quarter casks under forty gallons, and over twenty, five cents.

Salt in bulk per hundred bushels, twenty-five cents.

Salt in bags per bushel, one half cent.

Stones, ballast and paving per ton, twenty-five cents.

Stones, mill large, each, twenty-five cents.

Stones, mill small, each, twelve and a half cents.

Stones grind, one and one half cent.

Stones, quern, six cents.

" Marble per ton, fifty cents.

Sheep each, six and one fourth cents.

Sofas each, twelve and one half cents.

Settees each, ten cents.

Stills, two hundred gallons and over, twenty-five cents.

Stills under two hundred gallons, twelve and a half cents.

Sugar boilers, small size, six and one fourth cents.

Sugar boilers large size, twelve and a half cents.

Tobacco in hogsheads, twenty cents.

Tobacco in kegs and boxes, three cents.

Tierces goods sixty gallons and under, eight cents.

Tierces goods forty gallons and under, five cents.

Tierces rice and halves, four cents.

Trunks goods, four cents.

Trunks empty, three cents.

Tea chests, fifty pounds and upwards, five cents.

" " under fifty pounds, three cents.

" " under twenty pounds, two cents.

Waggons, large two horse, fifty cents.

Waggons, small one horse, twenty five cents.

Wheel-barrows, each, six and one fourth cents.

Every other article in proportion to the foregoing rates.

Goods lying on a wharf more than two nights after two working days, to be subject to storage rates.

Storage on cotton per week, for the first and last week eight cents and for each intervening week, five cents.

Rice per week, six cents.

Tobacco per per hogshead, twenty cents.

Every other article the same as its wharfage.

Dockage of vessels per day, under one hundred tons, employed, fifty cents.

" " Under one hundred tons when idle, one dollar.

" " Over one hundred tons, employed, seventy-five cents.

" " When idle, one dollar and fifty cents.

Sec. 2. *And be it further enacted,* That all laws or parts of laws militating against this act be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

AN ACT to make permanent the public site in the county of Carroll, to name, incorporate, and appoint commissioners for the same.

*Be it enacted by the Senate and House of Representatives of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the public site for the county of Carroll, shall be, and it is hereby permanently fixed, located and incorporated on lot number one hundred and twenty-eight, in the tenth district of said county, the corporate limits of which shall extend over said lot of land.

Sec. 2. *And be it further enacted,* That said public site be, and it is hereby named Carrollton; and Henry Curtis, Hiram Sharp, William Bryce, George Gibson, Giles S. Bogguss, and their successors in office, be, and they are hereby appointed commissioners for said town, with full power and authority to pass any bye-laws for the regulation of said town that they may think proper—*Provided* nothing herein contained shall be so construed as to authorise said commissioners to pass any bye-law contrary to the laws and and constitution of this State, and the constitution of the United States.

Sec. 3. *And be it further enacted,* That said commissioners be, and they are incorporated with the right to sue and be sued in their corporate name, and to collect all fines by them imposed, agreeable to the provisions of this act.

Sec. 4. *And be it further enacted*, That all superior and inferior courts, and other business of a public nature, in said county, be, and they shall hereafter be held and done at said village of Carrollton—*Provided* nothing herein contained shall be so construed as to repeal, alter or amend an act to establish election districts in said county.

Sec. 5. *And be it further enacted*, That in case a vacancy may happen in said commissioners, that the balance of said commissioners shall proceed to fill said vacancy by ballot—*Provided* that a majority of said commissioners shall, in all cases, concur in opinion.

Sec. 6. *And be it further enacted*, That all laws, or parts of laws, militating against this act, be, and the same are hereby repealed.

WARREN JOURDAN,  
Speaker of the House of Representatives.

THOMAS STOCKS,  
President of the Senate.

Assented to, Dec. 22, 1829.

GEORGE R. GILMER, Governor.

END OF THE LAWS.



## **RESOLUTIONS**

**WHICH**

**ORIGINATED IN THE SENATE.**

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**IN SENATE, 3d November, 1829.**

*Resolved*, That both branches of the General Assembly convene in the Representative Chamber, on Wednesday next, eleven o'clock, A. M. for the purpose of electing a Judge for the Eastern circuit, in the place of Judge Davies, deceased—also, the Judge of the Court of Common Pleas and Oyer and Terminer, for the city of Savannah.

Approved, 4th Nov. 1829.

**JOHN FORSYTH, Governor.**

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**IN SENATE, 4th Nov. 1829.**

*Resolved*, That both branches of the Legislature will convene in the Representatives Chamber to-morrow morning at twelve o'clock, for the purpose of electing, by joint ballot, a Senator to Congress to fill the vacancy occasioned by the resignation of the Honorable John M. Berrien—also, to elect a Judge of the Superior Courts, and a Solicitor General, for the Chattahoochee circuit.

Approved, 5th Nov. 1829.

**GEORGE R. GILMER, Governor.**

IN SENATE, 5th Nov. 1829.

*Resolved*, That both branches of the Legislature will convene this day, in the Representative Chamber, at the hour of one o'clock, for the purpose of electing, by joint ballot, a Judge of the Court of Common Pleas for the city of Augusta.

Approved, 5th Nov. 1829.

G. R. GILMER, Governor.

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IN SENATE, 6th Nov. 1829.

*Resolved*, That the Directors of the Central Bank of Georgia, be, they are hereby authorised and required to cause to be sold at public outcry, in Milledgeville, all the lots which have reverted and become the property of the State, at the McIntosh Reserve, in the county of Butts, after having given public notice in the Milledgeville papers at least thirty days previous to the day of sale, on the terms, and in the manner pointed out in an act passed by the General Assembly, 22d Dec. 1827, for disposing of said reserve.

Approved, 10th Nov. 1829.

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IN SENATE, 20th Nov. 1829.

The Committee to whom was referred the Reports of the Bank of Augusta, the Bank of Darien, the Fire and Marine Insurance Bank of Augusta, and the Merchants' and Planter's Bank of Augusta, have had the same under consideration, and Report :

• That they find that the affairs of the Bank of Augusta have

been managed with great prudence and discretion, and fully merits the continuance of the public confidence.

The Bank of Darien, they are happy to say, again enjoys the public confidence, evidenced by the Bills of that Institution having arrived at par value, from a great depreciation, and a new emission of Bills on a limited scale, having met with the approbation of our citizens, and fully within the power of the Bank at any time to redeem.—Notwithstanding the repeal of the resolution of the Legislature, compelling the Bank of Darien to redeem \$75,000 of its Bills in the Treasury, semi-annually, by the act chartering the Central Bank, the Bank of Darien has continued regularly to redeem the amount specified in the resolution, giving full proof of the good faith with which the pledge was made, and the full ability of the Institution to comply with its engagements.—It is the opinion of your committee, that the Bank is again entitled to public confidence, and feel justified in the hope that it will again promote the objects for which it was instituted.

The Report of the Merchants' and Planter's Bank of Augusta exhibits the affairs of the Institution in a sound and wholesome state—and

The Report of the Augusta Insurance and Banking Company, while it has sustained heavy losses incurred by the many and serious visitations of the city of Augusta, exhibit a full ability to redeem the amount which they have in circulation, and to meet their engagements with the public generally.

Approved, 19th Dec. 1829.

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IN SENATE, 20th Nov. 1829.

The Joint Judiciary Committee, to whom was referred that part of the Governor's communication, with the accompanying documents, relative to the case of Rowland Stephenson—Report,

A. Clayton, eight hundred and fifty-nine dollars and seventy-five cents, after deducting their winter clothing. That since that time they have expended in various ways twenty-five hundred and sixty-six dollars and thirty-nine cents—leaving in their hands, on the 31st day of October, 1829, in cash and notes nine thousand six hundred and sixty-nine dollars and fifty-six cents—Also, that they have sixteen negro fellows, one hundred shares in Bank stock, two boats, some flats, and a variety of tools. And that all the work they had done this year on said river, has been done on the Lock and Dam near Milledgeville, which they expect to complete about the 20th of the present month (November.) That the river is now, and has been for several years, in a good navigable condition, and that it will only be necessary in future to clear out the logs which may hereafter get into it, to keep it so.

Approved, 19th Dec. 1829.

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IN SENATE, 26th Nov. 1829.

The Committee on Agriculture and Internal Improvement, to whom was referred the report of the commissioners of the Altamaha river, have diligently examined the same, and ask leave to offer the following Report :

That it appears from the letter of Dr. James Troup, chairman of the board of commissioners, and the account current of Mr. Isaac Snow, their secretary, that of the sum of twenty thousand dollars, appropriated for the improvement of the navigation of the Altamaha river, 17173 dollars and 8 cents has been expended—leaving an unexpended balance on the 15th of September last, of 2826 dollars and 92 cents. Thirty negroes were purchased, of which number two have been drowned and four have died of disease. They have been employed in the vicinity of Darien, above and below the town, and appear from said report to have made considerable improvement in the navigation of said river. Many of the items of expenditure appear to your committee to be high—the account is certified by Anson Kimberly and Thomas

King, Esqrs. to correspond with the vouchers, but none of the vouchers accompany the report, which your committee deem an important defect : and as your committee are of opinion that public agents should be compelled to require duplicate vouchers, which should, in all cases, be sworn to and accompany the report—and they would therefore recommend the adoption of the following resolution, to wit :

*Resolved*, That it shall be the duty of the commissioners of rivers, roads, or other agents, having the disbursement of public money, to require all accounts to be sworn to before they are paid, and to take duplicates to be returned with their report to the Governor, for the information of the Legislature.

Approved. 19th Dec. 1829.

#### IN SENATE, 28th Nov. 1829.

The Committee to whom was referred the report of the commissioners of the Locust Stake Road, through Habersham and Rabun counties, beg leave to make the following Report :

That they have duly and fairly considered the same, and are entirely satisfied with the proceedings of said commissioners, so far as they are able to judge from said report, as well as from facts under their knowledge—and in compliance with their request would beg leave to suggest the farther appropriation of a small sum for the benefit of said road—Therefore the committee offer the following resolution :

*Resolved*, That James Blair, junr. and Stephen Smith of Habersham county, and John Kelly, senr. of Rabun county, be, and they are hereby appointed commissioners of the beforementioned Locust Stake Road, through the said counties of Habersham and Rabun, and that five hundred dollars be, and the same is hereby appropriated to the further improvement of said road, and that the same be inserted in the appropriation act, and to be equally expended by the said commissioners for the benefit of each county, and shall be sub-

ject to be drawn from the treasury by the order of said commissioners to his Excellency the Governor, to be drawn out of any money not otherwise appropriated.

*And be it further resolved,* That the commissioners of said Locust Stake Road, be, and they are hereby required to make an annual report of their actings and doings to his Excellency the Governor, and by him to be transmitted to the Legislature, touching the expenditure of any money which may come into their hands, as well as the extent of the repairs on said road.

*And be it further resolved,* That the said commissioners, before entering into a discharge of their duties, shall give bond and security to his Excellency the Governor, in the sum of one thousand dollars for their faithful performance—which bond shall be taken by the justices of the inferior court of Rabun county, or a majority of them, whose duty it shall be to judge of the sufficiency of said security, who shall transmit the same to his Excellency, to be deposited in the Executive office previous to the aforesaid sum being drawn for as above required.

Approved, 19th Dec. 1829.

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IN SENATE, 28th Nov. 1829.

The Joint Committee on Agriculture and Internal Improvement, to which was referred so much of the Governor's message as relates to the Savannah, Ogeechee, and Altamaha Canal, beg leave to Report,

That after a careful examination of all the documents which were referred to the committee, they have been enabled to arrive at the gratifying conclusion, that before the end of the month of March next, and probably much sooner, the Canal from the Ogeechee to the Savannah river will be completed so as to admit the free passage of boats from the one river to the other. And further, that it is not only practicable but that the intervening country affords unusual facilities

for continuing the Canal, at a moderate cost, from the Ogeechee to the Altamaha, at a point near the mouth of the Ohoopie; and that there is little reason to doubt, if hereafter it should be deemed advisable, that it may be extended along both branches of the Altamaha to Macon and Milledgeville, and even beyond those places into the interior, thus affording to a large and productive portion of our State a certain, ready, and cheap mode of transporting its valuable staples to a market on the sea board, and an equally cheap, ready and certain supply, in return, of such foreign productions as may be necessary for the convenience and comfort of its people.

Like all similar attempts elsewhere, when first made, the Directors of the Savannah, Ogeechee and Altamaha Canal Company, have had great obstacles to overcome; the inexperience of the projectors, the want of competent Engineers in our own State, and the difficulty of procuring such from abroad, the ignorance and miscalculations and failures of sub-contractors, and above all, the difficulty of procuring proper labourers in the section of country in which the work was commenced, were not only productive of great embarrassments and delay, but tended to increase the actual cost, much beyond the original estimates, and also probably much beyond the cost of any future similar undertaking in our State, where like facilities are afforded by nature. It appears by the report of the Engineer, made to his Excellency the Governor, under date of the 6th instant, and herewith submitted, that the amount expended on the section of the Canal which connects the Savannah and Ogeechee rivers, is \$143,721 56 cents, and that nearly all the locks, sluices, culverts, bridges and check-dams are completed and only about forty chains of excavation and embankment remained at that time to be made; and it further appears by that report, that the residue of the work is to the entire completion and filling of the Canal, including an addition of 20 per cent. for contingencies, will not exceed the sum of \$20,949, while, by an account rendered by the Treasurer of the Company, three days after, and which is also herewith submitted, it appears that there was then in its Treasury, to meet this expense, the sum of \$25,735, leaving a surplus in cash, after the Canal shall have been completed for navigation, of nearly \$5000, thus insuring to the State the completion of this first attempt of Canalling in Georgia, and thus also bringing under the immediate eye of her people, a means of internal communication, which has contributed so much to the wealth, prosperity and importance our State of our Union, and the benefits

of which are now so eagerly sought after and in part realised by several of the others. This work, so important in its probable results to our people, the President of the Company, in his communication to the Governor, under date of the 12th instant, which is also herewith submitted, confidently expresses the hope, will be completed in March next, for the passage of boats. While alluding to this letter of the President, your committee feel that it is due to the liberality and public spirit of that gentleman, to state, that although entitled to a salary of one thousand dollars per annum, which is affixed to his office, he has constantly refused to receive any compensation whatever, and has heretofore, and will continue, to render his services gratuitously to the company.

Your committee are aware, that the immediate benefits to be derived from the completion of the section of the canal between the Savannah and Ogeechee rivers, will be felt only by a small portion of people of the State, but yet they deem them to be very important, as a market will be opened by a safe, cheap and short conveyance, not only for the cotton and other produce raised on the Ogeechee, but also for the immense quantities of valuable timber on both sides of the river as high up as Louisville, and which is now comparatively of little or no value. But when your committee look forward and consider this canal as the first successful trial of a system, for the execution of which nature has furnished to Georgia such uncommon facilities, and which is destined at a day, as your committee hope, not very distant, to diffuse wealth and prosperity even through the most remote and sterile sections of our State. Your committee cannot but view the successful completion of this small beginning as an event of great importance to her whole people.

In relation to so much of the line of the proposed canal as extends from the Ogeechee to the Altamaha, your committee beg leave to report, that the President of the company, with the sanction of the Directors, applied in the summer of 1827, to Judge Wright of New-York, one of the most, if not the most able and experienced canal Engineers in the United States, either to undertake himself, or to recommend some capable person to undertake a survey of the country between those rivers, and to fix upon the most eligible and practicable line for the canal; that Judge Wright himself declined to act, but recommended Mr. Alfred Cruger, as a gentleman in whose judgment and qualifications he had implicit confidence: that accordingly Mr. Cruger was engaged and came to Savannah in the latter part of that year, and immediately



proceeded carefully to examine the country, and to locate the canal; that after having devoted a sufficient time to the examination, and collected the necessary information, he returned to New York, and prepared a report of the result of his researches, together with a drawing of the plan of the canal and a map of the country through which it would pass, which, with his estimates of the cost of the work, were submitted to Judge Wright, who, after a careful examination of the whole, recommended the same as entitled to perfect confidence. That report, with the plans and maps, were, in the fall of 1828, transmitted to the Executive of this State, and are submitted herewith by your committee, who concur in the belief that they are entitled to the fullest confidence.— This survey cost the company \$2735 02, which sum has been paid out of its funds.

From the examination and report of Mr. Cruger, it appears that the canal commencing at the Ogeechee, where the Savannah canal joins that river, and terminating on the Altamaha, at or near the mouth of the Ohoopie, will be a few chains more than fifty-eight miles in length, and will require a feeder from Cox's mill-falls, on the Ohoopie, which may hereafter itself be used as a canal, of a few chains more than fourteen miles, making the whole length of excavation necessary, seventy-four miles and seventy-four chains, which, with the bridges, locks of brick, &c. and all other expenses to the entire completion of the canal, is estimated to cost \$621,156 60. The dimensions of this proposed canal are intended to be thirty-three feet wide at the bottom, five feet depth of water, and a water line of forty-eight feet, and which are calculated to pass boats of eighty tons. Your committee also state that it appears from the report, that there is in dry seasons abundance of water, even at the summit level for the supply of the canal, that the soil through which the canal will pass, is invariably sand, with a clay bottom, which last is generally met with at three feet from the surface—that the ground is free from rock and uncommonly favorable, and that the country presents unusual facilities for the execution of the work—that the whole distance from the Altamaha to the city of Savannah, by the canal, is only seventy-two miles, exceeding by very little the distance by land from its mouth, on the Altamaha, to Darien, while this last distance by water is believed to be nearly three times as great.

Your committee, in order to enable them properly to estimate the advantages of such a canal, have sought informa-

tion from such respectable sources as they believed they could implicitly rely on, and have ascertained, that during the last year there were shipped from Macon alone about forty-five thousand bales of cotton, which, they understand, will probably be increased this year to fifty-five, and that from the borders of the Ocmulgee, below Macon, and not included in the above, about twenty thousand—that the quantity shipped from Milledgeville, and from the country below that place, was last year not less than ten thousand bales, making an aggregate of eighty-five thousand bales, which no doubt will soon be increased to one hundred thousand, exclusive of a considerable quantity forwarded by waggons to Augusta and Savannah, from those waters and their neighborhood, all of which would no doubt go through the canal when completed—that in addition to this, the line of the proposed canal passes through a country covered with forests of the most valuable timber, all of which would find a market by that channel, and that on the other hand the canal would furnish a cheap, certain and expeditious means of supply to a vast extent of rich and populous country, of such articles of foreign production as are necessary for the convenience and comfort of its inhabitants. The distance from the mouth of the canal, by the canal to Savannah, is estimated by Mr. Cruger to be only one-third of that by the river from the same point to Darien, to which last is to be added the whole distance from Darien to Savannah, by the sea-board navigation; and he also estimates, upon data, which appear to your committee to be correct, that on a return cargo of eighty tons by the canal, including the tolls, will be only thirty-nine dollars and sixty-two cents for every twenty miles, while the same cargo, by the upward navigation on the river, for the same distance, would cost one hundred and seven dollars eighty cents, making a saving by the canal on eighty tons of \$68 87 1-2 cents for every twenty miles. If to this be added the time saved in reaching a market and receiving returns for produce, the delays from low waters and the dangers of river navigation, the great saving by canal transportation, over that by rivers, must be manifest to all. On the whole your committee cannot but concur with the late Governor in the opinion expressed in his message, “that of the practicability of the proposed canal, and of its immense utility when finished, no reasonable doubt can exist.”

Approved, Dec. 19, 1829.

IN SENATE, Nov. 28, 1829.

The Committee on the State of the Republic, to whom was referred that part of the Governor's message which relates to the boundary line between the State of Georgia and the Territory of Florida with the accompanying documents, have had the same under their consideration, and Report—

That it is with extreme regret they learn that the line dividing this State from the Territory of Florida is yet unmarked, and still the subject of controversy between the State and the United States, that it has been the misfortune and not the fault of Georgia that she has long been embroiled in disputes respecting her boundary lines is no less true, than deprecated by her, and yet so long as she has been urged by imperious duty to contend for her rights either with the United States or any of her sister States, it gives her consolation to know that in none of these controversies has she ever subjected herself to the imputation of disregarding the rights of others, or of having refused to listen to the voice of reason or justice—That it is still her duty to persevere in the enforcement of her rights until they are recognized and established, none will deny.

The Legislature would be grossly negligent in its duty to the people of the State, and especially that portion of them bordering immediately upon the line in dispute, were they any longer to delay the prosecution of the most rigorous measures to speed this controverted point to a fair and equitable adjustment. It is high time that Georgia should know her boundary lines, that she has a right to the occupation of her land to the true line which separates it from the Territory of Florida as well as the jurisdiction thereof all must admit: that the line to be run directly from the junction of the Flint and Chattahoochee rivers to the source or head of the St. Marys river, is the true line of division, is as certain as it can be made by treaty stipulation, is beyond all question. There really ought to be no difficulty in settling the matter. The course of the line being plainly designated as also the point of beginning and termination specifically pointed out, and both being natural points, and the description too not floating in the uncertain recollection of man, but reduced to the greatest possible certainty that language can make it, and inserted in an obligation of the most solemn kind to

tween independant sovereignties, it would appear to the committee to leave no room for controversy. It is useless for this committee again to enter into an argument of the question in relation to the location of this line. So full and so perfect a view of the same was presented in a report of the committee on the State of the Republic, at the last session of the Legislature, to whom that subject was referred, that it is only necessary to refer to that report to establish the truth and justice of our cause, and fully to sustain the course which the State is pursuing in relation to that matter.

The mere quantity of acres, or strip of land between the two lines independently considered, is unimportant either to this State or the United States, and is not the main question to be considered; it is principle, it is mere right for which Georgia contends, and she will be satisfied with nothing less. The Legislature has no constitutional power to give up or barter away the territory or citizens of the State, or any portion thereof or relinquish her jurisdiction over the same, but on the contrary to preserve inviolate the integrity thereof.

The committee were hopeful that the application and appeal which was so respectfully and directly made to the justice and good sense of the Congress of the United States, by the Legislature of this State at its last session, would have removed all difficulty on this subject, and closed this unpleasant and unprofitable controversy.

The United States can certainly have no wish to do injustice to any one of the members of the Confederacy, and Georgia on her part solemnly disclaims all intention of even a wish to obtain either from the United States or Florida an acre of land, to which her claim is not sanctioned by equity and justice—& her duty as well as her most earnest desire, is to cultivate the most friendly feelings towards the United States and also towards Florida, and would exceedingly regret that she should be reduced to the necessity of pursuing any measure that would be calculated for a moment, to interrupt those good feelings that now so happily subsist between them. And the committee take this occasion to State that they have much confidence in the liberality and justice of the Congress of the United States, and the Administration of the Government thereof, and are from this consideration induced to believe that the want of time prevented the Congress from acting definitively upon the subject at its last session, and not from a disposition to disregard the rights of

the State, or leave the question still open. They are induced once more earnestly to appeal to the Legislature of the Union upon this subject, and request that they, at the ensuing session of Congress, repeal or alter and amend the act passed on the fourteenth day of May, eighteen hundred and twenty six in relation to the running and marking the said line, and make provision for, and appoint commissioners on the part of the United States, to act in conjunction with commissioners to be appointed on the part of Georgia to trace out and plainly mark the line between Georgia and the Territory of Florida from the junction of the Flint and Chatahoochie rivers to the true head or source of the river St. Marys, according to the intention, letter and spirit of the second article of the treaty of friendship, limits and navigation between the United States and Spain, of the twenty seventh of October seventeen hundred and ninety five, without restriction as to the point or mound designated by Mr. Ellicott or any other person.

The committee, for effecting the object embraced in the foregoing report, recommend the adoption of the following resolutions :

*Resolved*, That Congress be earnestly requested to repeal or alter and amend the act of the 14th of May, 1826, for running out and marking the line between Florida and Georgia, and make provision for and appoint commissioners on the part of the United States, to act in conjunction with commissioners to be appointed on the part of Georgia, to run and mark the said line, agreeably to the 2d article of the treaty between the United States and Spain, before referred to, as speedily as will suit the convenience of the United States.

*Resolved*, That should Congress, at its ensuing session, refuse to make any provision for running the aforesaid line, in conjunction with the authorities of Georgia, that his Excellency the Governor be authorized and requested, as soon after the adjournment of Congress, or as soon after as he shall have ascertained that they have acted definitively upon the said case, as the same can be done with convenience, to appoint commissioners, with a competent surveyor and artist, to run and mark plainly the line aforesaid, according to the provisions contained in the 2d article of the said treaty between Spain and the United States, of the 27th October, 1795. And that his Excellency the Governor do, in such case, inform the President of the United States the time at which the commissioners on the part of Georgia will proceed to mark the said line.

**Resolved**, That the Governor be requested to forward a copy of this report and resolutions to our Senators and Representatives in Congress, to be by them laid before Congress early in the ensuing session, so that ample time may be had to act upon the same.

Approved, Dec. 19, 1829.

IN SENATE, Nov. 28, 1829.

The committee to whom was referred the petition of Mrs. Ann Bostick having duly considered the same, are of opinion her request is founded in reason and justice, and therefore recommend the adoption of the following resolution :

**Resolved**, That his Excellency the Governor cause all proceedings stayed on a judgment which was obtained against Ann Bostick in Baldwin Superior Court, August term present year, for sixty-seven dollars and one cent principal, in favor of the State, and that the said judgment be entered satisfied ; and that the sum of ten dollars and sixteen cents be allowed the said Ann Bostick, it being the sum collected from her over her regular tax for the year eighteen hundred and twenty-eight, and that the same be placed in the appropriation Act.

Approved Dec. 19, 1829.

IN SENATE, Nov. 30, 1829.

The committee to whom was referred the petition of Jack Lampkin, asking the passage of a resolution authorising the Solicitor of the Northern circuit to credit a bond given by said Lampkin to the Trustees of the University, for lot number fourteen of Falling Creek Academy land, with such sum as would be reasonable for the lot of four and seven tenth acres, which he avers is claimed by, and now in possession of a man by the name of Williamson, have had the matter under consideration, and are of opinion, that the evidence presented sustains the fact set forth in said petition. They therefore recommend the adoption of the following resolution.

*Resolved*, That the Solicitor of the Northern Circuit be authorised to credit the bond given by Jack Lampkin, for lot number fourteen of Falling Creek Academy land, with the sum of forty-five dollars.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 1, 1829.

The joint committee on Military affairs to whom was referred certain documents accompanying the Governor's communication, which relates to the destruction of arms by fire, in the City of Augusta, and the measures taken to supply their place—Report,

That it appears, from the statement of Col. A. C. Caldwell, that there were destroyed by the fires previous to the thirtieth April last, one hundred and twenty-three muskets and bayonets, seventy-three rifles, eight pair pistols and seven swords: that in consequence of their loss, and of an application to the Executive, he applied to the Secretary of War for a supply of the value of five hundred muskets, to

be charged to the State, and accounted for in the next settlement with Georgia, for her quota of arms for the militia; and that in consequence of the application to the General Government, orders have been given to the officer commanding the United States Arsenal at Augusta, to deliver, for the use of the State, the arms recently received from the said Arsenal. From Col. Bomford's statement, it appears that the arms, accoutrements, &c. which have been furnished for the use of the State consists of five hundred and twenty muskets complete, five hundred and twenty accoutrements for ditto, complete, sixty-nine swords and sword belts, sixteen hundred flints, and seven thousand nine hundred and twenty musket ball cartridges. The State has the privilege of returning to the United States such portion of the arms, accoutrements &c. as she did not apply for. Your committee are of opinion however, that it would be best to retain the whole quantity furnished. They therefore, recommend the adoption of the following resolution :

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That this General Assembly approves of the promptitude with which the Governor has taken the necessary steps to quiet apprehensions of an important portion of the community, and to provide for their safety.*

*Resolved further, That the Governor cause the whole number of arms, &c. received on account of the State, according to Col. Bomford's statement, under date of twenty-fifth May, eighteen hundred and twenty nine, to be retained and accounted for in the next settlement. on account of arms to be furnished the State under the act of Congress for arming the militia.*

Approved, Dec. 19, 1829:



RESOLUTIONS OF SENATE.

IN SENATE, Dec. 5, 1829.

The Joint Committee on Agriculture and Internal improvement, to whom was referred the consideration of the Report and accompanying documents of the commissioners of the Ocmulgee river below Macon—Report, •

That the affairs of the company appear to be much deranged, so much so, that they have been compelled to sell considerable of the property engaged in the improvement of the navigation of the rivers, to discharge their arrearages. Some considerable amount appears to have been lost by the incorrect policy of buying and selling cotton and boating by the company, and should the same causes continue, it is highly probable, that the debts that must necessarily be contracted, will soon cover all the property of the company.

A debt due from James M. Taylor is likely to be lost through the laches of the Commissioners, amounting to twenty-three hundred dollars. The committee would not be understood to cast any censure upon those individuals who have been employed to superintend the work on the river, but in the mean time offer nothing which they wish so construed as to justify the majority of the commissioners in the course they have pursued.

The Committee would respectfully recommend the adoption of the following resolution:

*Resolved*, That his Excellency the Governor cause an investigation to be had, and if possible a collection made, by suit or otherwise of the debt due by the estate of James M. Taylor, to the Commissioners of the Ocmulgee river below Macon.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 8, 1829.

**Resolved,** That Neal Moses of Fayette county be, and he is hereby appointed a commissioner to keep open the South west prong of Flint river for the free passage of fish so far as the same runs through Fayette county, to Ware's mill in the place of Cheedle Cochran removed.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 9, 1829.

Whereas Alston H. Green of the county of DeKalb, at the land sales, held in the town of Milledgeville in the month of February last, by authority of an act of the General Assembly, passed on the twenty second day of December, eighteen hundred and twenty-seven, became the purchaser of two fractions to wit: numbers fifteen in the first district of Walton, and three hundred and thirty five in the sixteenth district of Henry county, said fractions being sold as reverted property, and it having been since ascertained that said fractions had not reverted to the State, but were the property of private individuals and sold through mistake—therefore

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* And that the sum of twenty dollars and sixty cents the amount paid for said fractions be refunded to the said Alston H. out of any money not otherwise appropriated, and that the same be placed in the appropriation act.

Approved, Dec. 19, 1829.

RESOLUTIONS OF SENATE.

IN SENATE, Dec. 11, 1829.

*Resolved*, That His Excellency the Governor be, and he is hereby requested to send with the Laws and Journals of the present Session twelve copies of Princes Digest and twelve copies of the Georgia Justice to the county of Coweta, six of each to DeKalb, twelve of each to Troup, six of each to Carroll, twelve of each to Merriwether, six of each to Crawford, four of each to Randolph, three of each to Hall, twelve of each to Harris, four of each to Monroe, three of each to Glynn, four of each to Fayette, three of each to Rabun, six of each to Marion, six of each to Talbot, and two of each to Madison county, for the use of the Inferior courts and Magistrates of the several counties above named, who have no such books.

Approved Dec. 19, 1829.

IN SENATE, Dec. 16, 1829.

The joint standing committee on Banks, to whom was referred so much of the late Governor's message as related to the Central Bank of Georgia, in addition to the report already made, beg leave further to Report,

That your committee being fully aware of the importance of the duty entrusted to them and also, that the manner of its discharge might and would probably form a precedent by which future like committees would in some measure be guided—determined to spare neither time or labor in making a full and entire investigation into the affairs of the banks and into the manner in which they had been hitherto conducted. As was anticipated, the investigation has occupied much time, and has produced a delay in rendering this report, which your committee would regret, were they not satisfied that much future good to the institution and to the State will result from the course they have thought proper to

pursue. Your committee would however, here remark that this delay has arisen in part, from a circumstance which was beyond their control—they allude to the fact, that as the bank is kept open for business both morning and afternoon, the officers of the institution were so constantly employed during the day in the current business of the bank, that your committee could not proceed in their investigations during the day, but were obliged to make them in the night time, when the services of the officers could be commanded.—Your committee have however, notwithstanding these difficulties, but with much labor to themselves, been at length enabled to complete their task in the mode originally adopted, and now report for the information of the Legislature the results of their investigation.

They have carefully examined the certificates of stock in other banks, held by the Central Bank as part of its capital. They have also carefully examined all the notes discounted, and found none to exceed in amount, the limitation prescribed by the charter, except such notes as were received in lieu of debts due to the State. They have also examined the lists of bills of exchange discounted and yet running to maturity; counted the bills of the Central Bank remaining on hand, and the bills of all other banks held by the bank, including those of the United States Bank and its branches; have examined the bonds, notes and other securities which were transferred by the State by the bank, and remain unpaid; and counted the specie in the vaults, and have found that the amount of bank stock, notes discounted, bills of exchange discounted, bills of the Central Bank on hand, bills and notes of other banks, the bonds, notes and other securities transferred by the State and remaining unpaid; and the amount of specie corresponds precisely with the State of the bank, rendered on the tenth of December, a copy whereof is herewith submitted, marked A.

Your committee also examined in reference to that provision of the charter which limits the Directors in their issues, and found that the issues were within the prescribed limits. They then extended their investigations to ascertain whether the Directors had distributed their discounts as nearly as was practicable among the several counties of the State, in accordance with the requirements of the charter, and found that they had used their best exertions to effect this object as nearly as was practicable, and as your committee believe did attain it as nearly as circumstances would

permit. In doing this they were subjected to many difficulties; they had no certain means within their reach of ascertaining the then population of the counties, a population always fluctuating, and changing in a remarkable degree, and they were left in doubt by the previous Legislature, as to the mode of estimating that population, for the charter had used only the word population, without designating whether it intended the representative population or only the white population. These difficulties and embarrassments were further increased by the immense number of notes offered for discount on the first offering day, they amounting in the whole to nearly nine thousand and accompanied by thousands of certificates all of which the Directors were necessarily compelled to examine and scrutinize before a selection or apportionment could be made; and all of which was to be done by three Directors, between Tuesday morning and Saturday morning, the time at which from the pressure of the applicants and the great inconvenience to which many of them were subjected, the Directors had promised to commence the payments. Thus hurried and pressed, mistakes could not be avoided, and when upon a final closing of their discounts at five o'clock on Saturday morning it was found that mistakes had been made, which could not be rectified, without a re-examination of the notes and certificates, the Directors concluded to allow these errors to remain, until by an amendment of the charter, and by the attainment of a more correct knowledge of the population of the several counties, they would be enabled in future distributions to do equal justice to all. For further and more minute information on this subject your committee beg leave to refer the Legislature to a communication made by the President of the bank to the chairman of this committee under date of the twelfth instant, which is herewith submitted, marked B.

By the charter of the bank the Directors are required to discount bills of exchange, and in pursuance of this requirement they have availed themselves of the funds which remained in the bank, including those assigned to particular counties and not called for either in whole or in part, which would otherwise remained unproductive to the State.—The application of this fund in this mode, while it does no injustice to those counties, which had already received their due apportionment, was productive of great advantage to the bank and of course to the interests of the State, so deeply involved therein. By enabling the directors to place funds at Savannah, Augusta and other points, which would

be received in lieu of specie by those presenting the notes of the bank for payment, a draw of specie from the bank, otherwise unavoidable, has been prevented, while the State has realized by this operation, a profit on a fund which would otherwise have remained unproductive of one thousand eight hundred and seventy-eight dollars and fifty-four cents. Indeed so essential do your committee conceive this mode of discount by bills, to be to the credit and safety of the bank, that they respectfully recommend that a portion of the funds of the bank be hereafter set apart and appropriated exclusively for this purpose. If this is not done, the bank to sustain its credit will soon be obliged to purchase specie at a heavy expense or to stop payment ; while on the other hand specie funds by this operation may not only be obtained without cost, but in fact perhaps at a profit to the State. Nor will the counties which have not called for their apportionment be deprived of their rights by this use of the funds, for as the discounts run only sixty days the fund can always be restored when it may be wanted. Before concluding this branch of their enquiry, your committee would remark that while it was found impracticable to distribute the discounts of bills among the counties as provided for in the case of notes discounted the Directors have strictly adhered to the limitation of two thousand five hundred dollars, by discounting no bill of exchange beyond that amount.

Your committee have also deemed it to be their duty further to enquire into the specie operations of the bank, and find that no specie has been drawn on any occasion from the bank, except in the ordinary transactions of the till, where the drafts have been small, except in a single instance of a draft of two thousand dollars by an individual going out of the State and that consequently the original amount of specie in the bank has been diminished but little. The specie funds of the bank, as contradistinguished from specie, have been considerably diminished by calls or demands from the State Banks, the Marine and Fire Insurance Bank, and individuals in Augusta. These demands the parties had a right to make, and a compliance with which could not be refused without material injury to the credit of the institution. And here your committee would take occasion to remark that when the Central Bank commenced its operations it had a large amount of paper of other banks of this State in its vaults, a portion of which it became necessary to convert into specie and for the whole of which they could have demanded payment in specie ; but that the Directors of the Central Bank, with a just and prudent regard to the inter-

ests of the State, and aware that the State was a large stock holder in several of those banks, determined not to create an unnecessary and injurious pressure upon those banks, and therefore, limited their demands for specie to only such an amount as they believed could be spared by the banks without inconvenience. In pursuance of this just and liberal policy a circular was addressed to the President of the several Banks, a copy of which is herewith submitted marked C, and the requirements of which were met in the same liberal spirit in almost every instance.

Your committee beg leave to add that the Central Bank is in a safe and wholesome condition ; that on the tenth day of December instant, it had in circulation only two hundred and sixty-three thousand four hundred and nine dollars of its notes ; while at the same time it had in specie and specie funds to redeem that amount, the sum of three hundred and ninety two thousand eight hundred twenty-nine dollars and fifty-two cents.

Your committee cannot conclude their report without expressing their approbation of the zeal, ability and perseverance which has been displayed by the Directors and officers in the management of the affairs of the bank from its establishment to the present time, and would respectfully recommend them as entitled to the full confidence of the Legislature. All of which is submitted.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 16, 1829.

*Resolved*, That Charles Smith, sen'r., William Munden and William Drandy be, and they are hereby appointed commissioners to examine and make a report to the next Legislature, the expediency and practicability of opening and keeping open Phinholoway Creek, for the purpose of making the same navigable for rafts and boats from the bridge, where the river road crosses the same to the confluence of the same with the Altamaha river: *Provided* said commissioners shall not be entitled to any pay from the State for their services.

Approved Dec. 19, 1829.

IN SENATE, Dec. 16, 1829.

The Joint Committee on Public Education and Free Schools, to whom was referred a resolution of Senate instructing them to enquire into the expediency of appointing one or more competent persons to collect information on the subject of Free Schools, and to digest and arrange a system for the Free Schools of Georgia, to be submitted to the next Legislature, beg leave to Report—

That they have had the subject under serious consideration, and are duly impressed with the importance thereof— That the present Free School system of Georgia is miserably defective, your committee have had but too mortifying testimony in the returns of the several counties, submitted to their inspection during the present session. The fund set apart for Free Schools, although entirely inadequate to effect the important desideratum of furnishing the means for a plain and substantial education to every family in the State, under a more regular and economical administration, has it is feared been dissipated with comparatively little benefit.



Your committee have no hesitation in saying that Georgia is yet possessed of ample means to consummate the most sanguine wishes of the Philanthropist in regard to universal education, so far as her own population is concerned. To apply those means effectually to the object seems then to be the only difficulty which presents itself to your committee. They therefore have thought it expedient to offer the following resolution :

*Resolved*, That his Excellency the Governor be authorised (if in his discretion it be deemed necessary) to appoint one or more fit and proper persons to digest and arrange a system for the Free schools of Georgia, to be submitted to the consideration of the next Legislature, and that the Governor together with the person or persons so appointed, be instructed to correspond with such distinguished and intelligent persons in any part of the world, as they may deem necessary to afford practical information on this very interesting subject.

Approved, Dec. 19, 1829.

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IN SENATE, Dec. 16, 1829.

*Resolved*, That the bar of the Lobby be removed, for the purpose of extending the Senate chamber to the fire places situated in the northern part of the chamber; and that the gateway leading into the Senate chamber be removed and placed between the chimneys as in the House of Representatives, and that the Governor pay for the same out of the contingent fund.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

Whereas it appears by the report of the Comptroller General, that Richard T. Keating is a defaulting Tax collector for the amount of nine hundred and thirty-eight dollars and thirty-five cents—and whereas it has been satisfactorily proven that the said R. T. Keating has paid over to the several Sheriffs of Bryan county, all the amount due to the State:

*Be it therefore resolved.* That the Comptroller General be directed hereafter to omit the name of R. T. Keating as a defaulting Tax collector, and that the said R. T. Keating is hereby exonerated from all default on said account.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

*Resolved,* That his Excellency the Governor be and he is hereby requested to have sold all the seats and cushions heretofore provided for the Representative chamber, reserving as many in his opinion as may be necessary for the committee rooms and galleries in the State house.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

The Joint Committee on Banks to which the exhibit of the Planters Bank of the State of Georgia was referred, respectfully Report—

That the situation of this bank is fully shewn from its statement. The soundness of the currency of the State depends upon the prudent and judicious management of the banking institutions by those to whom they are confided, and the value attached by the public to the paper or bills issued from them is a criterion which fully tests that soundness.— Whenever a paper dollar is considered by the holder as one of silver or equal to so much of the precious metals, no fear of depreciation exists, and none need be apprehended, and a preference is given to this medium from the conviction that a demand for gold or silver will be immediately complied with and the bill redeemed.

The Planters Bank of Georgia like other institutions of the State, has had much to contend against from the fluctuations in commerce, its frequent reverses and the embarrassments in which those who have been largely engaged in commercial pursuits have been involved. Debtors frequently amidst difficulties which press with severity and rigor upon them, are influenced by the feeling that a monied corporation can more easily sustain a loss and with less injury than other creditors, and a sacrifice of their interest is the general result of this feeling. Under these circumstances it is not a subject of reproof that at periods no dividends have been made by our banks, but of praise that their credit should be sustained and their solvency unsuspected. Your committee are of opinion that the Planters Bank has been managed upon soundest principles of policy, such as to secure to its confidence, and reliance upon its competency to answer any demands which may be made upon it.

Approved, Dec. 19, 1829.

IN SENATE, Nov. 17, 1829.

*Resolved*, That both branches of the General Assembly will convene in the Representative chamber on Friday next at eleven o'clock A. M., for the purpose of electing a Secretary of State, Treasurer, Comptroller General and Surveyor General, and also for electing a Major General of the first division of Georgia Militia, to fill the vacancy occasioned by the resignation of General John Floyd.

Approved, Nov. 19, 1829.

IN SENATE, Dec. 17, 1829.

The Committee on the State of the Republic, to whom was referred a resolution from the Senate requiring the said committee to enquire into the expediency of disposing of the present Government house, and erecting a suitable building upon the square originally designed in the plan of the Town for that purpose, or upon some other more eligible site, &c., submit the following Report :

Your committee have inspected the Government house and lot, and are of opinion that an immediate appropriation of five hundred dollars is absolutely necessary for furnishing and repairing said house and lot, so as to render the residence of the Governor convenient and comfortable, and recommend the following resolution :

*Resolved*, That five hundred dollars be, and the same is hereby appropriated for furnishing and repairing the government house and lot, and that the same be placed in the appropriation bill—and that the Governor be authorised to purchase on such terms as he may think proper, a vacant lot adjoining the present Government lot, and pay for the same out of the contingent fund.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

The joint committee on public education and free schools, to whom was referred the resolution of Senate, with instructions to examine and report their opinion as to the propriety of publishing the whole or any part of the copy of the minutes of the Board of Trustees of Franklin College, furnished to the Secretary of Senate, under a resolution of the Senatus Academicus, have had the same under consideration, and recommend the adoption of the following resolution :

*Resolved*, That the minutes of the Board of Trustees, and laws of Franklin College, with the minutes of the Senatus Academicus, be published with the journals of the Senate.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

The joint committee, to whom was referred the reference from Senate, enquiring whether all the Banks in this State have duly made their returns, under provisions of law, and have paid taxes on the same, beg leave to Report,

That they have made all necessary enquiry on the subject, and ascertain that the several Banks of this State have duly made their returns to the Treasury office and paid the taxes on the same, with the exception of the Bank of Darien, which has not, according to Treasurer's report, made any return since 1825.

*Resolved*, That the Cashier of the Darien Bank, be, and he is hereby permitted now, for the four years last, past, to make a return of, and pay the tax on the stock of the Darien Bank.

Approved, Dec, 19, 1829:

IN SENATE, Dec. 17, 1829.

The joint committee on Banks, to whom was referred the Report of the President of the Bank of the State of Georgia, respectfully Report,

That the condition of the Bank, as derived from the report of the presiding officer, is satisfactory and gratifying, inasmuch as the interest of the State is involved and identified with its prosperity and correct management.—The amount of stock invested by the State has been productive; and notwithstanding the losses which occurred to this Bank from the misfortunes and failures of its debtors, the dividends made on each share of stock, from its first establishment to the present period, have averaged 6 1-2 per cent. annually: for some years past 7 per cent. has been declared as a dividend or interest on each share of capital stock—a rate of interest more productive than any other investment which could have been made in any estate, real or personal, and attended with less risk or uncertainty. The depression of our commerce, the depreciated prices of the staple commodities, the monopolizing spirit which characterises the times, as these causes operate on individual prosperity, in a like ratio affect institutions which afford to the merchant, the farmer, and the mechanic the medium from which his enterprise receives its reward, and his industry its profit. This Bank, like other institutions of the State, has to exercise a watchful eye on the schemes of brokers, whose avarice and love of gain suggest devices and stratagems against which laws are feeble barriers and oaths but weak restraints. The Bank of the United States too, wielding an immense capital, with powers more dangerous and imposing than ever were intended to be granted by the States, has, and will, during its corporate existence, have a blighting influence on the State institutions, which will be felt, as that influence is used by those who direct its operations and regulate its intercourse with the State institutions. A Bank which so orders its emissions of paper as never to weaken public confidence in their being redeemed with specie, may be considered in a sound state. Too much legislation on the monied corporations of any country has never had a beneficial influence either in promoting their credit or strengthening their solvency: the reverse of the proposition may be considered, and it has been demonstrated even in our own State, that a Bank may sink under legislative enactments. Your committee are of opinion

that the Bank of the State of Georgia, with its various branches, affording a large portion of the circulating medium of the country, has been faithful in the performance of its engagements—has extended its usefulness without endangering its credit—and has aided in affording facilities to trade which prudence warrants. The fidelity, ability and good faith of agents and directors are the true supports of the character and conduct of Banks, and if the individual stockholders, who are materially interested, feel a reliance and confidence in those agents, the public seldom have cause for any distrust. Your committee are satisfied that the Bank of the State of Georgia has been managed with a view to the State and individual interest.

Approved, Dec. 19, 1829.

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IN SENATE, Dec. 17, 1829.

The Joint Committee on the State of the Republic, to whom was referred so much of the late Governor's message as relates to the several resolutions of the States of Louisiana and Missouri, proposing certain amendments of the constitution of the United States, beg leave to Report,

That they have given to the same the most respectful consideration, not only as to their operation upon the Union generally, but as to the effect which their adoption may have upon the interests of the Southern States in particular. It was with regret that your committee found itself compelled to consider their operation in this two-fold point of view, because there is nothing in either of the resolutions which in itself could be calculated to awaken the jealousy of any particular section of the Union; and because, emanating as they do, from the Legislatures of States, whose population is almost wholly agricultural, and where, like our own, slavery exists, your committee feel much diffidence in making the suggestion, that their adoption may prove eventually injurious to those interests. The people of the slave holding States cannot but be aware that there is in the other States an influence already great, and daily increasing, composed of va-

rious materials, but bound together by a common feeling, which has for its object, and even now seriously threatens, not only to destroy the prosperity of the Southern slave holding States by subjecting them to tribute, but to prostrate their political strength, and to deprive them of inestimable privileges now secured to them by the Federal Constitution. In evidence of the existence and power and operation of this influence, your committee will, without going into detail, refer to the late tariff acts: The various amendments proposed to the constitution, in different quarters, with a view to the abolition of slavery: the open and daring operations of abolition societies: and the more secret and disguised, but dangerous movements of the colonization society: the effects already produced in Maryland: and the desperate struggle now in eventful progress in the State of Virginia. Against this influence, the Constitution of the United States is our only safe guard, and the strength of that Constitution rests upon the respect of the people, which will increase or diminish as the alterations of its provisions are less or more frequent. If then its provisions are such as to secure us a present good, why change them in the hope of a better? or why change them, from the apprehension, perhaps groundless, of a future evil, and by thus destroying its sanctity in the eye of the people, risque a greater present mischief?—In making these remarks, your committee would not be understood to mean that under no circumstances ought a change in the constitution to be made, but only to intend that in their opinion it is not the true policy of the slave holding States to attempt or make amendments, unless the evil to be remedied shall overbalance the danger and mischief which may result from frequent amendment, by which its sanctity will be diminished. The result is that your committee do not believe that it is the true policy of Georgia to propose or concur in any amendment of that instrument, unless the existing evil is such, as while it calls for immediate correction, that correction will certainly be secured by the proposed amendment. With these general remarks, which are made without particular reference to the proposed amendments in question, your committee will proceed to consider in the first place the amendment recommended by the Legislature of Louisiana, and which proposes, “that the first section of the second article of the constitution be so amended that the President and Vice-President of the United States shall hold their offices for the term of six years, and that the President shall be ineligible afterwards.”—Your committee are aware that many evils have and may hereafter grow out of the Presidents being eligible for more than one term of office. The



love of power, so natural and so strong in man, must operate in almost every case to induce an individual, once elevated to that office, to adopt such means as may be best calculated to secure a re-election ; and the means resorted to may not always be the most honorable in their character, or may in fact be mischievous to the country. The frequent recurrence too of the election may, by the extraordinary excitement produced, be injurious in its effects not only to the morals of the people, but to the Legislation of the nation, and may eventually endanger the union of the States. On the other hand, the restriction to one term of office, and the extension of that term, may, while it does not ensure the correction of the existing evils, produce others of equal, and perhaps of greater magnitude ; and may, while it attempts to prevent corrupt practices to secure a re-election, exclude the strong inducement to a faithful discharge of duty, which is presented by the prospect of a re-election. That the frequent recurrence of the election is calculated, and does produce a frequent recurrence of great and perhaps dangerous excitement cannot be denied ; but your committee doubt, by the proposed amendment, although that excitement would not so frequently occur, whether, when it did occur, it would not be greater in proportion to the increased magnitude of the object to be obtained. By the necessary postponement of the period at which a disappointed minority may hope to elevate themselves into power, and a disappointed candidate look to the gratification of his ambition. Independently, however, of these considerations, your committee would suggest that the frequent recurrence of elections secures to the people a powerful control over the public servants—that it enables them to remove, without an inconvenient or perhaps dangerous delay, a servant who misuses or abuses his trust, while a greater duration of office would postpone this all-powerful corrective to a distant day, and compel the nation to submit in quiet to unqualified or evil rulers, or resort to the remedy of frequent impeachment—a remedy which would, in all probability, produce more dangerous excitement than any resulting from the most contested election.

For the reasons then that it is impolitic in the slave holding States to amend the constitution, unless the evil be great and the remedy certain ; that although from the imperfection of all human institutions, the existing provision is productive of some mischief, yet that the proposed amendment may increase them, be productive of others equally great or greater, and is no certain corrective of those which already exist ; and that while it will deprive the people of that control over their servants which is secured by frequent

elections and short terms of office, it will not probably protect the nation against evils as great and of like character with those which are alleged to result from frequent elections, your committee cannot recommend a concurrence with the resolution of the Legislature of Louisiana in the proposed amendment.

Your committee will now proceed respectfully to examine the amendment proposed by the resolution of the Legislature of Missouri, which proposes "to amend the constitution of the United States, so as to provide a uniform mode of electing the President and Vice President throughout the United States, and to give to the people of the United States the privilege of voting directly for the President and Vice President, without the intervention of electors, *reserving* to the States *respectively*, their due weight in relation to said election, as is now guaranteed to them by the constitution; and that the election of President and Vice President should in no case whatsoever be submitted to the decision of the House of Representatives of the United States."

In considering the propriety and policy of this proposed amendment, the committee had reference to the same views of the policy which they have expressed in the earlier part of this report, and were operated upon by the additional consideration that the last part of the resolution has a direct reference to the alteration of that provision of the constitution which was in convention so strongly insisted upon by the representatives of the smaller States, and the adoption of which secured, under certain circumstances, to the weaker States, an equality of power with the greater States in the election of the President. By that provision, as amended, if either candidate shall have a majority of the whole votes of the electoral college, then a selection is to be made from the candidates having the highest number of votes, not exceeding three, by the House of Representatives, voting by States, and each State having one vote.

Now while your committee believe that great evils have resulted, and that greater may grow out of this mode of making a final selection of a President, from among the candidates, by the House of Representatives, yet, as by this provision, the small States have an equal voice with the large States, under the circumstances named in the election of President, it would be in the opinion of your committee impolitic in those States to relinquish that privilege, in any amendment which may be made to the constitution, unless

in that amendment there be a provision securing to the small States, in the new mode of final decision which may be adopted, an equal weight with the larger States. By the proposed amendment of the Legislature of Missouri, such an equivalent is neither suggested or insisted upon, and therefore, on that account, deem it inexpedient to recommend a concurrence.

While however your committee deem it inexpedient to concur, for the reason mentioned, yet they would not be understood to dissent from the main principle contained in the resolution, that the election of President and Vice President ought to be made by the people, without the intervention of electors; for such an alteration in the mode of election your committee would approve of—*Provided* it can be so regulated that the sovereignty of the States be not invaded, and the weight of the States, and the present basis of representative population be retained according to the existing provisions. If an amendment to vest the election directly in the people, with these guards to the rights of the States generally, and the slave holding States in particular can be framed, your committee would readily concur in recommending its adoption; for your committee cannot overlook the fact, that by the intervention of electors, the votes of a State may be given in a direction not willed by a majority of the people, that with all the guards so carefully thrown around the electoral college by the constitution, to shield it against corruption, still, as the result of the election of electors can in many cases be anticipated long before that election, these electors may go corrupted into the college, and the will of the people, in the choice of their chief magistrate, be defeated. That great evils have and may again be produced by the mode of election now existing, your committee believe that few persons in the south will doubt. We have witnessed the extraordinary fact, that an individual has been elevated to the chief magistracy, not only against the will of a majority of the people; but against the will of a majority of the States, and we have felt and experienced the mischiefs resulting from that elevation: and if a change can be made by which such an occurrence can again be prevented, without at the same time affecting the right now secured to the smaller States, such change ought to be made. Your committee however, would here remark, that the election above referred to did not result from the principle of giving to each State an equal vote, but from the mode in which the constitution prescribed, that it should be exercised, by which the Representatives of at least one State were enabled to elect the President contrary to

the will of the majority of their constituents. While, therefore, your committee would retain the principle, they would recommend a change in the mode of its exercise if practicable.

With these views, your committee would recommend the adoption of the following resolutions :

*Resolved*, That the General Assembly of the State of Georgia does not concur with the General Assembly of the State of Louisiana, in the proposal to amend the constitution of the United States, so as to extend the term of office of the President and Vice President to six years, and to render the President ineligible.

*Resolved*, That the General Assembly of the State of Georgia does concur with the General Assembly of the State of Missouri, in the proposal to amend the constitution of the United States, so as to provide a uniform mode of electing the President and Vice President throughout the United States, and to give to the people of the United States the privilege of voting directly for the President and Vice President, without the intervention of electors—*Provided* such alteration can be so made that the sovereignty of the States be not invaded, and the weight of the States, and the present basis of representation be retained, according to the existing provisions of the constitution.

*And be it further resolved*, That in the opinion of this General Assembly, it would be desirable that the constitution of the U. States should be so amended as that the election of President and Vice President should in no case whatever be submitted to the decision of the House of Representatives of the United States—*Provided*, that in so amending the said constitution, provision be made for securing to the States an equal vote on such decision in the last resort.

*And be it further resolved*, That a copy of the above resolutions be forwarded to each of our Senators and Representatives in Congress ; and that the Executive of this State be requested to forward a copy of the foregoing resolutions to the Executive of each State, with a request that they be laid before their respective Legislatures.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

The Joint Committee on the State of the Republic, to whom was referred so much of the Governor's message as relates to the tariff, and the resolutions of the State of Mississippi and Louisiana, respectfully Report,

That the subject referred has lost none of the interest attached to it, and the importance in relation to the prosperity of the Southern States increases as time develops its effects upon those sections of the Union which opposed and those which supported the measure—the evils of which were anticipated and have been felt—the benefits of which were predicted, and have not been realised. The advocates of the system, so partial and exclusive, are untiring in their industry, and their ardor increases in proportion to the fallacy of their predictions, and the unfortunate and disastrous result of their speculations. Small bodies, acting in concert, with plans judiciously arranged for the attainment of the object desired, are more to be feared and cautiously watched than large assemblies who are not actuated by one impulse, or influenced by one sentiment—and no motive acts more powerfully, or binds more closely than that of self-interest: it is aided in its operations by avarice and intrigue, by cunning and falsehood, and future consequences are disregarded if success is attendant upon its efforts. That those for whom the tariff was enacted, are a minority; that they act with a union of design, and have but one spirit, is not a matter of speculation, but of fact. To counteract and defeat their operations, is to be effected by pursuing an open and decisive opposition, which is supported by the best interest of our country, and every sentiment of honorable and correct feeling. That this opposition should be tempered with mildness and calmness is necessary, so that those who are supporters of the tariff may be convinced that it is the opposition of judgment, of reason, and of patriotism, and not of passion. That it is an opposition which has for its end the preservation of the constitution, the harmony of the Union, and the safety and security of our institutions. That it is one which will not cease, although it may be for a time unsuccessful; and that it will rise with renovated strength from every defeat, so that it finally will unite not alone the sympathies, but the action and concert of those who are situated even amidst the monopolists, but are not actuated by their avaricious and grasping spirit. To enter into an investigation of the principles upon which the tariff was imposed, would be to travel over a wider range of discussion than your committee contemplate; and

to account for the motives which produced the importunate petitions to Congress on the subject, would only be to analyze combinations which were formed from impure motives, and moved to action from interested and selfish principles. The frequent and reiterated accusations made against the Southern States, are only in accordance with the plan of proscription, which the manufacturer would carry into effect against all who denounce their system and support their denunciations by an appeal to facts irresistible and conclusive as any postulate of the mathematician. It has been said, and truly said, we cannot compete with the manufacturers of England, and that the "American System," a term which was adopted to mislead and confound, and given for the attainment of political objects and office, would, in its prosecution, compel its sponsors to resort to all those petty arts, which, with honest men, produce disgust, and bring defeat and disgrace upon even practical and beneficial measures, when thus supported. The dense and idle population of old and corrupt governments require resort to ingenuity to employ their surplus population. A young and vigorous country, with its energies active, and its resources unbounded, needs not the exercise of Legislation to direct its labor, its skill, or its ingenuity. With its geographical limits extensive and unexplored, "the march of mind" left free, finds in its progress the attainment of its desires, which, in older and narrow boundaries would seem mere visions of imagination or Utopian dreams, sketched by the pencil of the philosopher, or the ideal picture of poetic fancy. The wilds which American perseverance has penetrated and rendered the smiling and fruitful abode of elegance, of ease, and of refinement, evince that the spirit which would subdue such difficulties craves not the fostering power of Legislative patronage to erect vast manufacturing establishments to pamper overgrown wealth, or nurture inordinate avarice. The manufacturers of America enter the field of competition under the most unfavorable auspices when contrasted with those of Great Britain, and this arises not from the constitutional and fair opposition which their spirit has provoked, but from the very fact that they are kept in operation alone by Legislative enactments, while the manufactures of Great Britain have large capitals, the whole of which are employed in their factories, and the machinery has been rendered perfect by time, experience, practice, and all the science which human ingenuity has for centuries brought to their aid. The sub-division of labor increases the beauty, durability and perfection of the raw material when manufactured, and gives employment to their surplus population. In a young country like the United States, fortunes have been made and capital

created by the industry of individual exertion, and has not descended, increasing and applied to one object, for centuries, as is the fact in the old and settled Kingdom of Great Britain. Labor too is cheaper there, for here, with extensive and fertile lands, inviting to agriculture, the hardy and industrious son leaves the sport of his nativity, and, supported by his adventurous spirit, is found amidst forests, which were deemed impenetrable, and in a short time the rudeness of nature gives place to the beauties of art, and yields to the industry of man. Unlike other countries where vast domains are in the possession of a few lordly landholders, here each citizen can acquire more soil than he can cultivate, and may exercise his art or his science in making it productive and profitable. But it would be unnecessary exhaustion of time to reason on the disadvantages, the disastrous consequences, and the baneful effects produced from the tariff—to pile reasons upon reasons, to add arguments to arguments, would not convince those to whom they are addressed: the manufacturer of woollens, of cotton, of iron, and of hemp would turn a deaf ear to every suggestion of wisdom, though it carried upon it the impress of patriotism, nay, of divinity itself, their sole, their only answer to argument is, will it be to our interest, will it add to our wealth, will it conduce to our power to repeal a law represented so odious in its features, calamitous in its effects, and oppressive in its operations, blighting and destroying like a moral siroc the labors of the agriculturist? If the sympathies which should bind the people of this Union together are invoked, we are accused of maintaining doctrines dangerous to its existence, and propagating opinions treasonable and disorganising. No course can be pursued but will be misrepresented—no measure adopted but will be distorted; but we are bound by every principle of self-preservation to persist in an opposition to a system calculated to reduce the Southern States to a villeinage more odious than the colonial bondage, under which they once groaned. A system which imposes taxes upon every article we consume, and every product we grow, the extent and duration of which is as unlimited as the desires and the avarice of those for whose benefit it was enacted is fostered and sustained. Your committee feel confident that a meek spirit of submission, silent and acquiescent would receive the unqualified approbation of the monopolist and the praises of the timid, the weak and the wavering; but it would only strengthen more firmly the inroads of power, and rivet more close by the chains which gall and fret us. They would respectfully recommend a firm and steady resistance to the tariff, and an adherence to the solemn pledge which we have

RESOLUTIONS OF SENATE.

given to resist, by all constitutional means, this unhallowed infringement of our rights, assuring to our sister States, who are opposed to the measure, that we will give free and warm co-operation to every plan which insures not the modification, but a total repeal of the protecting system.—Your committee therefore recommend the adoption of the following resolution :

Whereas the tariff act of 1828 is partial and onerous in its effects, operating as a tax upon one section of the Union for the benefit and promotion of the other, impoverishing and rendering unproductive the industry of those who do not seek legislative aid, and destroying gradually and perceptibly those sympathies which have united the remotest extremities of our country, rendering her respectable in peace and formidable in war. And whereas the State of Georgia is anxious that her rights should not be yielded, or her assent given to any act dangerous to the harmony of the whole, for the advantage of the few, which is uncalled for by the situation of the country, our foreign, or domestic relations, destructive of that mutual interchange of feeling between foreign countries and our own, annihilating our commerce, diminishing our revenue, and destroying the value of our agricultural products, and making this most fertile portion of the Union as unproductive as a barren waste :

*Be it therefore resolved by the State of Georgia, in General Assembly met,* That our Senators be instructed, and our Representatives requested to use their best efforts and their warmest co-operation in obtaining a total repeal of the tariff act of 1828.

Approved, Dec. 19, 1828.



IN SENATE, Dec. 18, 1829.

*Resolved*, That his Excellency the Governor be, and he is hereby requested to send with the Laws and Journals of the present session of the Legislature, four Books titled the Military Guide, to the county of Coweta, two to Crawford county, two to Randolph county, four to the county of Marion, two to Irwin county, one to Lincoln county, four to the county of Troup, four to the county of Meriwether, and one to Habersham county, for the use of the militia officers of the respective counties.

Approved, Dec. 21, 1829.

IN SENATE, Dec. 18, 1829.

The committee to whom was referred the petition of Augustin Harris, Report

That they have duly considered the same, and entertain the opinion that the request of the petitioner is founded in reason and justice, and therefore recommend the following resolution :

*Resolved*, That his Excellency the Governor be, and he is hereby authorised and requested to have all proceedings against Augustin Harris, Esq. on bonds given by said Augustin to the State Commissioners, for the town of Milledgeville, for the purchase of lot No. 1, in square 36, in said town, suspended, and that he cause the said bonds to be cancelled.

Approved, Dec. 19, 1829.

IN SENATE, Dec. 17, 1829.

The Joint Committee on Agriculture and Internal Improvement, to whom was referred the letter of the Commissioners of the Ocmulgee river navigation above Macon, addressed to the late Governor in answer to the circular of his Excellency, likewise the report of said Commissioners addressed to the General Assembly, having had the same under their consideration, ask leave respectfully to Report,

That the two reports of the commissioners, taken together, afford the information required by the circular of the Governor in a manner satisfactory to your committee.—The commissioners inform us that after purchasing the negroes, they had remaining in their hands the sum of \$2532 25 cents, upon which they had drawn, up the 18th September, \$746 61 1-4 cents, and since that time, up to the 2d November, they had expended \$360 31 cents, making the aggregate amount of expenditure up to that time \$1106 92 1-4 cents, which leaves in their hands the sum of \$1425 32 3-4 cents unexpended.

We learn from their reports that the company has fourteen negroes belonging to the State, twelve of whom they have hired out until the first of May next. One is incapacitated from disease to labor and is placed under the care of a physician, and the other one has run away; the balance of the property belonging to the State consists of boats and other machinery necessary for their operations on the river.

The commissioners state that the past season has been a very unfavorable one for working on the river, in consequence of high water during a great part of the summer; the work has likewise been retarded from sickness and the death of two of the negroes; one of the hands being convicted of the crime of burglary, was cropped and branded, and is at present runaway. An account presented against the commissioners by Major Thomas Campbell, of \$50, for attending to the the negroes case when tried for his life, they have refused to pay, on the ground of the charge being extravagantly high, unless the Legislature will sanction the payment. Your committee would recommend the payment of the account, rather than suffer a law suit.

The commissioners express a confident belief in the susceptibility of the river to be improved, and state that shoals on which they have wrought may be passed by boats with facility in ordinary water.

Approved, Dec. 19, 1829.

## IN SENATE, Dec. 21, 1829.

*Resolved*, That his Excellency the Governor be, and he is hereby requested to correspond with the military store keeper, at Savannah, with regard to the quantity of military stores on hand at that point, and their condition.

Approved Dec. 21, 1829.

## IN SENATE, Dec. 19, 1829.

The Joint Military Committee beg leave to make their final report, on the several matters which have been referred to them during the present session.

1st. A resolution from the Senate requiring to be informed by what authority the Judge of the Eastern Circuit has exempted the civil officers from doing militia duty.

Your committee have carefully examined into the subject and are informed that a decision to the effect that certain civil officers were exempt from militia duty, was made several years ago in that district, and that they believe that since that decision certain civil officers have been considered as exempt. Your committee can find no act of the Legislature that authorises such an exemption, nor are your committee aware on what grounds such decision was made; yet your committee are of opinion that it would be equitable and just, that the Justices of the Inferior court and Justices of the Peace should be exempt; but as your committee are of opinion that a general revival of the militia law is advisable, but not practicable in this advanced state of the session, your committee therefore forbear any further opinion upon the subject.

2d. Your committee have carefully examined the arms and munitions of war, deposited in the Arsenal and Magazine at this place, and are of the opinion that the officer of that depart-

ment has faithfully discharged his duty. But your committee are sorry to say that they find some arms, both rifles and muskets that have been just returned from Columbus, and some by Volunteer Companies, the greater part of which, are in very bad order—your committee therefore recommend the following resolution :

*Resolved*, That the keeper of the Arsenal be, and he is hereby directed to have cleaned and placed away in good boxes, the above arms.

*And be it further resolved*, That his Excellency the Governor, be and he is hereby requested to pay for the same out of the contingent fund, such sum as he may deem competent for the same.

*And be it further resolved*, That your committee are of the opinion that it is impolitic for the public arms of the State to be let out to the different volunteer companies, unless it is in particular cases of emergencies as they are frequently destroyed, or returned unfit for service.

Your committee are sorry to state from the information received from the different sections of the State, that the militia system has become nearly nominal. Your committee are of opinion that this decline originates more from the inattention of General officers, than from the subalterns, or the deficiencies of the present militia system.

Your committee therefore recommend the following resolution :

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met*, That all general, field, and company officers of the militia be, and they are hereby directed and required to give due and strict attention and attendance to their respective commands, and notice all delinquences and treat them agreeable to the directions of the militia law in such cases.

*And be it further resolved*, That his Excellency, the Governor be, and he is hereby requested to transmit to each of the general and field officers of this State, a copy of this resolution.

*And be it further resolved by the Senate and House of Representatives*, That it shall be the duty of the keepers of the Arsenal at Savannah, Augusta, and Milledgeville, on or be-

fore the first Monday in November annually, to make out a complete schedule of all arms and munitions of war, that may be deposited in the Arsenal or Magazine, that they respectively may have charge of, and transmit the same to his Excellency the Governor, whose duty it shall be, to lay copies of the same before the Legislature as soon thereafter as may be practicable.

*And be it further resolved,* That his Excellency the Governor be, and he is hereby directed to transmit a copy of the above resolution to the respective keepers as above stated.

Approved, Dec. 21, 1829.

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IN SENATE, Dec. 21, 1829.

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* That the Commissioners appointed to lay out and mark a large market road from Decatur in DeKalb county, to the town of Columbus, and the Surveyor employed by them be entitled to have and receive for their services on said road, the sum of three dollars each per day for the time they or each of them were engaged in said service, the commissioners to be paid by the Inferior courts out of the county funds of the county in which they reside respectively : *Provided* they shall think fit to do so—and the Surveyor to be paid out of the county funds of the counties of Muscogee, Harris, Meriwether, Fayette and DeKalb, each paying one fifth of said sum : *Provided* the Inferior courts of said counties shall think fit to do so, and it shall be the duty of the Inferior courts of said counties to draw orders on their respective county treasurers for the immediate payment of said commissioners and surveyor out of any money in the hands of said treasurers not otherwise appropriated.

Approved, Dec. 21, 1829.

## **RESOLUTIONS**

**WHICH ORIGINATED**

**IN THE HOUSE OF REPRESENTATIVES.**

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**IN THE HOUSE OF REPRESENTATIVES,**  
November 5, 1829.

*Resolved*, That both branches of the General Assembly will convene to-morrow at twelve o'clock, in the Representative chamber, to elect a Major General of the fourth division, a Brigadier General of the first brigade fourth division, a Brigadier General of the second brigade fourth division, a Brigadier General of the second brigade second division, and a Brigadier General of the first brigade ninth division of the Georgia Militia.

Approved, Nov. 6, 1829.

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**HOUSE OF REPRESENTATIVES,**  
Saturday, 7 November, 1829.

Whereas the Trustees of the Poor School Fund for the county of Jones, appointed by the Act of eighteen hundred and twenty-seven, failed to accept the appointment, whereby the accounts of Teachers of poor children, for the years eighteen hundred and twenty-seven and eighteen hundred and twenty-eight in said county, remain unpaid; and

whereas the present Trustee, under his construction of the act of eighteen hundred and twenty-eight, refuses to discharge the same, and it being just and right that they should be paid,

*Be it therefore resolved*, That the Trustee of the Poor School Fund of Jones county be, and he is hereby authorised and directed to pay off and discharge the accounts of teachers of poor children of said county, for the years eighteen hundred and twenty-seven and eighteen hundred and twenty-eight, out of any moneys in his hands belonging to said fund: *Provided* such accounts shall be authenticated in the manner hereinafter pointed out.

*And be it further resolved*, That to entitle any teacher of poor children in said county for the years aforesaid, to the settlement of his account therefor, he shall swear to the correctness and justness of the same, and shall also obtain a certificate of an acting Magistrate or affidavit of a respectable freeholder of said county, stating that he is acquainted with the situation of such child or children, that he, she or they are entitled to the benefits and provisions of the acts creating and distributing the Poor School Fund, and that the account of said teacher is reasonable and just.

Approved, Nov. 21, 1829.

HOUSE OF REPRESENTATIVES,  
Friday, 6 November, 1829.

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby resolved by the authority of the same*, That David Jamison, James M. Kelly, John M. Moore, Richard Smith and Martin Jenkins, be, and they are hereby appointed Commissioners of the Houston county Academy.

Approved, Nov. 16, 1829.

## HOUSE OF REPRESENTATIVES,

Monday, 9 November, 1829.

*Resolved by the Senate and House of Representatives of the State of Georgia, in general assembly met, That His Excellency the Governor be, and he is hereby authorised and required to order forthwith, a suspension of selling and of hiring out any of the public lands belonging to this State, now under the control of commissioners for the improvement of the navigable rivers and water courses thereof, and particularly those for the improvement of the Ocmulgee, below Macon, till further orders from the Executive Department.*

*Approved, Nov. 11, 1829.*

## HOUSE OF REPRESENTATIVES,

Monday, 9 November, 1829.

*Resolved, That His Excellency the Governor be, and he is hereby authorised and required to appoint one or more commissioners, to proceed forthwith to the Cherokee nation, under the instructions of the Governor to take the testimony of Indians, and other persons touching the disputed line between the Cherokee and Creek Indians—and that they be paid out of the contingent fund.*

*Approved, Nov. 11, 1829.*



HOUSE OF REPRESENTATIVES,  
Monday, 9 November, 1829.

**Resolved**, That John Bailey, Willis Lang and Noble A. Harden, of the county of Camden, Pliny Sheffield, William Clements and Jesse Lewis of the county of Wayne, and James Jones Sen'r., James Jones Jun'r. and William Smith of the county of Ware, be, and they are appointed commissioners, for the Great Sainttella river, as high up as the place at which Blackshears road crosses said river, and that they report to the next General Assembly the condition of said river, what obstructions exist therein, and whether it is practicable to make said river navigable to said point, and what will be the probable expense of removing the obstructions existing in said river: *Provided* said Commissioners shall not be entitled to compensation for their services from this State.

Approved, Dec. 18, 1829.

HOUSE OF REPRESENTATIVES,  
Wednesday, 11 November, 1829.

The Joint Committee on Printing, Report—

That in conformity with the duties they were appointed to perform, they issued proposals to the several Printers of Milledgeville, and such other persons as might wish to offer for the printing of the State for the present session, have received and accepted of Messrs. Burritt and Polhill, the job printing on the following terms, viz: For each pamphlet containing more sheets than one, for each sheet of eight octavo pages, five cents, for each job or pamphlet making one sheet or less ten cents per sheet, less than half a sheet to be calculated as a half sheet, figure work, double those rates.

The Committee accept of the proposals of Messrs. Canak and Ragland, to print the Laws and Journals, on the following terms, viz: The Laws to be printed, bound and delivered as they were for the session of eighteen hundred and twenty-eight, charged at the rate of one and an half cent per sheet of eight octavo pages. The Journals to be printed according to the Journals of last session, price one and a half cents per sheet of eight octavo pages, and delivered heretofore.

The above contracts were accepted by the committee on the part of the Legislature, and bond and security for the faithful performance, are tendered by the applicants, respectively:

Approved, Nov. 28, 1829.

#### HOUSE OF REPRESENTATIVES, Friday, 21 November, 1829.

*Resolved*, That his Excellency the Governor be, and he is hereby authorised to cause the fence around the State House square to be extended in order to enclose the three Churches on said square—also to fix a lining board inside the gallery in the Representative chamber to extend halfway up the banisters, and to pay for the same out of the contingent fund.

Approved, Nov. 21, 1829.

HOUSE OF REPRESENTATIVES,  
Monday, 16 November, 1829.

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* That his Excellency the Governor be, and he is hereby requested to lay before this branch of the Legislature, any information or correspondence between the Executive authorities of this State and the Government of the U. States, or any of the departments of the same, relative to the disposition of the plantations or improvements which have been purchased by an officer appointed by the United States for that purpose, of those Indians that were residing on the unlocated territory of this State, and have now signified their intention of removing, with many that have removed beyond the Mississippi.

*And be it further resolved,* That if there has been no correspondence or information received on the subject referred to in the foregoing resolution, between the Executive authorities of this State and the Government of the United States, that then his Excellency the Governor be, and he is hereby requested to adopt such measures as he may deem expedient, to obtain from the proper departments of the Government of the United States, such information relative to the disposition of the improvements or plantations thus purchased and abandoned, and lay the same before the Legislature during the present session.

Approved Nov. 21, 1829.

**HOUSE OF REPRESENTATIVES,**

Saturday, 21 November, 1829.

The committee to whom was referred the petition of Turner H. Tripp, claiming compensation for services rendered by him to the State.

Whereas it appears by a certificate from the Judge of the Western circuit that a suit was progressing against the securities of the Unicoy Turnpike Company in the Superior court of Habersham county, and it further appears by the documents accompanying said petition that the sum of three thousand six hundred and sixty dollars claimed by the State, has been settled with the Directors of the Central Bank— They therefore respectfully submit the following resolution :

*Resolved*, That the sum of ninety dollars be, and the same is hereby appropriated for the use of the said Turner H. Tripp, and that the same be placed in the appropriation law.

Approved, Dec. 4, 1829.

**HOUSE OF REPRESENTATIVES,**

Saturday, 21 November, 1829.

The Committee on Agriculture and Internal Improvement to whom was referred the annual report of the Commissioners of the Chatahoochie River, above the Coweta Falls, have had the same under their consideration, and ask leave to make the following Report, viz :

First, the report is informal and does not comply with the requisitions of the Circular of the Executive, because it gives no account of the money on hand ; it is informal and unsatisfactory, because there are no vouchers by which this committee can arrive at any conclusion how or what amount of

money has been expended, or whether it has been applied to the legitimate objects of the appropriation, nor can the committee discover from the report how or in what manner the public hands were employed during the time they could not work on the river. Your committee are therefore of opinion that it is expedient to adopt the following resolution:

*Resolved*, That His Excellency the Governor be requested forthwith to order the commissioners of the Chattahoochee river above the Coweta falls, to lay before the Executive a statement of the amount of money on hand and vouchers for all the money they have expended, and if they have loaned any part of the public funds, they be required to make out a schedule of the notes together with the names of the makers and their securities and the probability of the final recovery or loss of the same, and that they also be required to shew in what manner they have employed the public hands when they were not at work on the river, and that his Excellency be requested to lay the same before the Legislature.

Approved, Nov. 28, 1829.

HOUSE OF REPRESENTATIVES,  
Saturday, 21 November, 1829.

*Resolved by the Senate and House of Representatives* That the sum of twelve dollars and sixty-nine and an half cents be paid to S. J. Mays of Clark county, the amount paid by him for tax for the year eighteen hundred and twenty-eight, which he was not bound to pay by law, and that the same be inserted in the appropriation bill.

Approved, Nov. 27, 1829.

IN THE HOUSE OF REPRESENTATIVES,  
25 November, 1829.

*Resolved*, That both branches of the General Assembly convene in the Representative chamber on Thursday next at three o'clock, for the purpose of electing a Brigadier General of the second brigade of the first division of Georgia Militia, to fill the vacancy created by the promotion of Brigadier General David Taylor.

Approved, Nov. 26, 1829.

HOUSE OF REPRESENTATIVES,  
Saturday, 28 November, 1829.

The Committee on Agriculture and Internal Improvement to whom was referred the report of the Commissioners who have under their superintendence and direction the improvement of the Savannah River, below Augusta, ask leave to Report—

That in obedience to the requisition made by the Executive, the commissioners of the river Savannah, below Augusta, on the twentieth of October last, made a report of their operations and expenditures, during the years eighteen hundred and twenty-seven and eighteen hundred and twenty-eight, as well as during the season immediately preceding the date of their report—also a statement of the money and property belonging to the State in their hands.

After a careful examination of the report and accompanying documents, your committee cannot refrain from expressing their unqualified approbation of the conduct of the commissioners as evidenced in their report, and the spirit of enterprize tempered with discretion, perseverance and economy which it exhibits.

These considerations induce your committee to anticipate with confident expectation that the balance of the appropriation remaining on hand at the date of the report, (say ten thousand one hundred and thirty nine dollars and twenty cents,) and the property purchased to facilitate their operations and then in their possession, (say two flat boats, in which is erected a pile driving machine, one Augusta boat, and one Petersburg boat, with all the cordage and implements necessary to take a purchase on logs, besides lumber, tools and other articles of value, exclusive of the boats and cordage, of about two hundred dollars,) will be applied and managed to the best advantage, and so as to produce the most beneficial results in the improvement of the navigation of Savannah river below Augusta.

Approved, Dec. 4, 1829.

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HOUSE OF REPRESENTATIVES,  
Thursday, 3 Dec. 1829.

The committee, to whom was referred the Comptroller General's letter, and the accompanying documents to wit: the annual report of the Attorney and Solicitors General, that is George W. Crawford, Joseph W. Jackson of the Eastern district, Richard L. Simms, of the Flint, Samuel Armstrong Bailey of the Chattahoochie circuit and Mark A. Cooper, of the Ocmulgee circuit, have taken such notice of the papers submitted to them as the documents above would admit of, by which it appears that various sums of money have been collected by those officers and stated to be paid to the Treasurer, Comptroller, and to the Central Bank; and that various debts are in a train for collection, and various others, considered bad and doubtful, and some cases are returned as having been arranged by receiving property in lieu of the demand, to wit: property taken in the Town of Macon for the debt of Joseph Benett and Elisha Tarver four thousand one hundred and twenty-seven dollars and thirty-three cents, debt and interest this case arranged under a resolution of Legislature.

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Your committee would recommend the passage of the following resolution, and that they be discharged from the further consideration of this matter.

*Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby resolved,* That the Comptroller General be instructed to continue his vigilance in collecting the out-standing debts of the State, and that it shall be the duty of the Comptroller General, in his annual report to the Legislature, to state particularly the amount collected by the Attorney General, and by each of the Solicitors General, and on what demands and the amount retained by each for commissions.

*And be it further resolved,* That his Excellency the Governor be authorised and required to take such measures as may be deemed expedient and for the benefit of the State, by sale, renting or otherwise, the property in Macon, which has been received in settlement of the debt against Joseph Benett and Elisha Tarver, and in accordance of the resolution under which said property was received in payment of said debt.

Approved, Dec. 18, 1829.

HOUSE OF REPRESENTATIVES,  
Thursday, 3d Dec. 1829.

The Committee on Finance, to whom was referred the petition of Fleming Bates, Tax collector of Lowndes county, have had the same under consideration, and ask leave to Report—

That in their opinion the Tax collector acted in good faith, without any other intention than the public good, when he proceeded to collect the default tax of James D. Shanks, for the years eighteen hundred and twenty-seven and eighteen hundred and twenty-eight; and whereas your committee are of opinion that said Shanks did not have time to relieve himself from the penalties of the law for neglecting to



give in his taxable property by giving in to the Clerk of the Inferior Court, before execution was issued against him by said collector,—in order that justice may be done both the persons before named, your committee ask leave to offer the following resolution :

*Resolved*, That the Comptroller General be requested to cause orders to be issued to the Sheriff of Lowndes county to stay all further proceedings on two executions issued by him against Fleming Bates, tax collector of Lowndes county, for the years eighteen hundred and twenty-seven and eighteen hundred twenty-eight, and that said executions be returned to the Comptroller General's office, and that the same be cancelled.

*And be it further resolved*, That one half of the default tax collected by said Bates, of James D. Shanks as a default tax for the years eighteen hundred and twenty-seven and eighteen hundred and twenty-eight be refunded to the said Shanks.

Approved, Dec. 12, 1829.

## HOUSE OF REPRESENTATIVES,

Thursday, 3d Dec. 1829.

The Joint Committee on Finance to whom was referred the report of Wm. B. Taylor, the Surveyor appointed by his Excellency the Governor under a resolution of the twentieth December, eighteen hundred and twenty-eight to examine and re-survey the eleventh district of Irwin, recommend the adoption of the following resolution :

*Resolved*, That the sum of three dollars per mile be paid to Wm. B. Taylor for each mile actually run or surveyed by him, as full compensation for his services in examining and re-surveying the eleventh district of Irwin, and that his Excellency the Governor be requested to issue his warrant for the same, upon the said Wm. B. Taylor producing a certificate from the Surveyor General setting forth a performance of the work and the amount due.

Approved, Dec. 12, 1829.

**HOUSE OF REPRESENTATIVES,**  
**Thursday, 3d Dec. 1829.**

**The Joint Committee on Finance, to whom was referred the Treasurers report and abstract, with a list of warrants drawn by the Governor for the political year eighteen hundred and twenty-nine, and the Comptroller General's report and abstract, Report—**

That they have attentively and very carefully discharged the duties assigned them, and after a full, free and strict examination of the Treasury, they find the money in the Treasury and all the payments made by the Treasurer for the political year eighteen hundred and twenty-nine, to precisely agree with his report and abstracts ; they therefore beg leave to request that the Treasurers report and abstract, with a list of warrants drawn by the Governor for the political year eighteen hundred and twenty nine, may be taken as a part of this report. They feel it to be a pleasant duty to state that the affairs of the Treasury are kept in a business like and satisfactory manner, which reflects credit on the present incumbent.

The committee have in like careful and attentive manner strictly examined and compared the report of the Comptroller General, and find said report to precisely agree with the amount of checks in his office ; they therefore beg leave to request that his report and abstract herewith submitted, may be taken as a part of this report and also a list of defaulting tax-collectors.

The Committee take great pleasure in stating to the Legislature that the active vigilance of the Comptroller General has enabled him to collect during the last political year, from defaulting Tax collectors the sum of seventeen thousand fifty-two dollars and ninety-six cents. They state with pleasure that the office is kept in a satisfactory manner, evidencing that its incumbent is not more a man of active industry than he is a man of business.

**Approved, Dec. 12, 1829.**

HOUSE OF REPRESENTATIVES,  
Saturday, 5 Dec. 1829.

The Committee to whom was referred the petition of Luke J. Morgan and Isaiah Faver, have had the same under their consideration, and think the prayer of the petitioners reasonable, and that the same ought to be granted—wherefore they present the following resolution:

*Resolved*, That the State do release, acquit and discharge Luke J. Morgan and Isaiah Faver from any farther liability under a judgment and fi fa in favor of the State vs. John A. Cuthbert, Luke J. Morgan and Isaiah Faver, obtained in Putnam Superior Court, and that the Solicitor General of the Ocmulgee Circuit be authorised and directed to enter a release and satisfaction on said fi fa as to said Morgan and Faver: *Provided* that nothing herein contained shall be construed so as to release John A. Cuthbert, the principal, from any part of said fi fa.

Approved, Dec. 12, 1829.

HOUSE OF REPRESENTATIVES,  
Saturday, 5 Dec. 1829.

The Select Committee to whom was referred the petition of Jehu Campbell and Martin L. Harden, have had the same under consideration, and believe the prayer of the Petitioners to be reasonable and ought to be granted—they therefore respectfully submit the following resolution:

*Resolved*, that the Solicitor General of the Ocmulgee Circuit be, and he is hereby directed to order a suspension of all proceedings upon the judgment obtained in Morgan Superior Court in favor of the State of Georgia against Jehu Campbell and Martin L. Harden, and to have the execution returned to the proper office with the entry thereon of satisfaction.

Approved, Dec. 12, 1829.

**HOUSE OF REPRESENTATIVES,  
Saturday, 3th December, 1829.**

*Resolved*, That both branches of the General Assembly will convene in the Representative Chamber on Thursday next, at 3 o'clock, P. M. for the purpose of electing a Brigadier General of the first brigade of the seventh division, to fill the vacancy occasioned by the death of Brigadier General Richard Venable—and also a Brigadier General of the first brigade of the first division, to fill the vacancy occasioned by the resignation of Brigadier General Edward Harden—and for four Directors on the part of the State in the Bank of the State of Georgia; two in the Planter's Bank of Georgia; and five Directors in the Bank of Darien.

Approved, Dec. 10, 1829.

**HOUSE OF REPRESENTATIVES,  
Saturday, 5th December, 1829.**

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met*, That all the seats made for the Representative Chamber, and not now in use in the State-House, be appropriated for the use of the Baptist Church in Milledgeville, until called for the Legislature.

Approved, Dec. 12, 1829.

HOUSE OF REPRESENTATIVES,  
Monday, December 7, 1829.

Whereas John Burnett, jr. late tax collector of Glynn county, did pay over, as tax collector, to one Thomas Winn, sheriff of said county, all and singular the taxes for the year 1812 and 1813, collected by him—And whereas the executions on which the receipts for said taxes were indorsed have been since lost or mislaid, and new executions have been issued against the said John Burnett, aforesaid; and he the said John Burnett, has in his possession receipts for said taxes from the Comptroller-General of the State of Georgia :—

*Be it therefore resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby resolved by the authority aforesaid, That all proceedings on said executions be staid, and John Burnett, jr. be released and exonerated, he having paid the said taxes as required by the laws of the State.*

Approved, Dec. 12, 1829.

HOUSE OF REPRESENTATIVES,  
Saturday, December 12, 1829.

The Committee on Finance, to whom was referred the communication of the Treasurer and Comptroller-General to his Excellency the Governor, on the subject of fractions improperly re-sold, have had the same under their consideration, and ask leave to report the following resolution :

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That whenever it shall be made satisfactorily to appear to his Excellency the Governor that at any sale of forfeited fractions, the fraction or fractions so re-sold had been paid for by the first purchaser, in terms of the law regulating the first sale, then,*

and in that case his Excellency the Governor is hereby authorised to issue his warrant on the Treasurer, in favor of the last purchaser, for the amount he, she or they may have paid on account of such improper sale, upon he, she or they surrendering up his, her or their certificate or certificates for the same.

Approved Dec. 18, 1829.

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HOUSE OF REPRESENTATIVES,  
Saturday, 12th December, 1829.

*Resolved*, That the Treasurer of this State be required to pay over to Mortin N. Burch twenty-six dollars twelve and a half cents, the said Burch having been compelled to pay said sum unjustly to the tax collector of Jefferson county, for the year 1827, and that the same be added to the appropriation bill.

Approved, Dec. 18, 1829.

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HOUSE OF REPRESENTATIVES,  
Saturday, 12th December, 1829.

The Committee on Agriculture and Internal Improvement, to whom was referred the report of Sowel Woolfolk, Secretary and Treasurer of the Board of Commissioners for the Chattahoochee river, below the Coweta Falls, and the statement of William D. Lucas, one of the Board of said Commissioners, ask leave to report,

That they have attentively examined the documents and minutes of the proceedings of said Board of Commissioners, submitted for their consideration, and regret that their in-

vestigations have resulted in a settled conviction that there has been mismanagement of the affairs of said Board of Commissioners, and that the interest of the State requires that a thorough investigation and settlement of the affairs of said Board of Commissioners should take place without delay. Your committee would therefore recommend the adoption of the following resolutions by the General Assembly :

*Resolved*, That his Excellency the Governor be, and he is hereby authorised to appoint some fit and proper person, whose duty it shall be to make a settlement with the Board of Commissioners of the Chattahoochee river, below the Coweta Falls, and receive from said Commissioners any monies, evidences of debt, or property in their hands, belonging to the State, and make a report of his proceedings to his Excellency the Governor without delay.

And your committee further respectfully recommend that the Secretary and Treasurer of the said Board of Commissioners have permission to withdraw the minutes and the board of Smith, Lucas, and Lamar, according to the request contained in his report.

Approved, Dec. 18, 1829.

## HOUSE OF REPRESENTATIVES, Saturday, 12th December, 1829.

The Committee on the State of the Republic, to whom was referred the talk of the President of the United States to the Creek Indians, and the letter of the Secretary of War to the Cherokee Delegation, together with other documents developing the policy of the Executive Government of the United States, concerning the Aborigines of this country, Report,

That this is a subject full of interest to the politician and to the christian. A concise review of this policy may be productive of some good, and cannot be productive of any harm.

All experience has shown that the association of the white man with the red has generally, if not uniformly, proved injurious to both. This fact is deemed conclusive as to the propriety of a separation.

But if any thing more were necessary to demonstrate the necessity of a separation, it would be found in the fact that neither the General Government nor mission societies can prosecute their benevolent purposes concerning the Indians, without serious obstacles, so long as there may be a free association of Indians and white men. It is too manifest to escape observation, that white men of abandoned characters are most apt to associate with Indians, and to exert a baleful influence on their morals and their counsels. The strength of the reasoning on this head is greatly increased when it is recollected that many of the Indians occupy positions in which they will be always exposed to collisions with the state authorities. Indeed, it may be assumed as a fact, that the State Governments never will consent that any tribe of Indians shall exercise the powers of sovereignty within the chartered limits of the States; that they will have to submit to the State laws, or remove beyond their limits.

Much may be said on original principles concerning the rights of the States in this regard, but these are considered as questions no longer open for discussion: they have been settled by the usages of Europe and America—by judicial decisions, and Legislative enactments. The Supreme Court of the United States long since decided that “the Legislature of Georgia, in 1795, had the power of disposing of the unappropriated lands within its own limits.” At a subsequent period it decided that titles to lands in this country rested on the right of discovery. This right residing (with some modification perhaps,) at the time of the American revolution, in the government of Great Britain, was conquered from that country, by the American arms. Subsequent to that period, it has been strengthened, in a number of instances, by conquests over different tribes of Indians; for instance, the Cherokees in 1791, and the Creeks at a later period. These tribes, with others, have been permitted to enjoy a mere occupancy of their lands, chiefly for the purpose of hunting, and have been taken under the guardianship of the United States; but this occupancy, merely permissive, and this guardianship, merely gratuitous, have in no wise destroyed the rights of the States, individually or collectively. If some of the States have accepted or engaged the aid of the General Government, for the purpose of extinguishing Indian



titles, this may enable them to avoid the trouble and expense attending the extinguishment, but does not destroy their own right to extinguish.

One of the best illustrations of civil or political right, in relation to Indian lands, is obtained from a compilation made by the Rev. Dr. Jedediah Morse, acting as an agent of the General Government, in his report and appendix to Mr. Secretary Calhoun. From these it appears, more especially from the authority of an eminent lawyer, quoted at page 279, that the Indians are entitled to a limited or qualified property in the soil, a right to occupy and enjoy, under certain modifications, but with no power to convey, nor indeed to do any other acts of ownership. The right of soil, or the absolute property, and the jurisdiction over it, belong to the State. The interest in the soil carries with it the right to buy off, or otherwise remove, the incumbrance of Indian occupancy. This right of the State is full and absolute. Even if the hunter State should be changed for the agricultural, the Indians are entitled to no more of their territories, after the change, than is requisite to give them, from cultivating the earth, a support equal to that which they derived from their whole territory, in the hunter State.—*Morse's Report*, p. 68. Such is a substantial statement of some of the leading principles of customary law as it bears upon the situation of the Indians.

Should it be said that the right of disposing of their soil; the right of jurisdiction or of prescribing the rule of action in their territories; and the right of removing their occupancy, constituting the sovereignty over their territories, belong to the Union, and that the Indians have not been left at the mercy of the individual States; it may be answered that the sovereignty over the Indians and Indian lands in the territories of the United States, if not in the new States, formed as they are from the territory of the Union, may be accorded to the General Government; but the rights of the old thirteen, sustained as they are by law and by adjudication, will never be abandoned.

The Committee on the State of the Republic, reserving the right of giving, in another report, if necessary, a more full exposition of the laws and usages concerning Indians, have, on the present occasion, only given such a brief view of those usages as will place the policy of the General Government in stronger relief before the nation.

Such being the usages concerning Indians, the policy adopted by the General Government is clearly proper, at least so far as it is intended to induce them to remove, beyond the limits of the States, or to withdraw from those limits ; and to extend to them, in some favorable position, the aid and protection of the government. The advantages resulting from a location beyond the limits of the States depend on an exemption from the mischievous intercourse of bad white men, and from the collisions of rival sovereignty, and upon the unobstructed exertions of the government, and various benevolent associations, for their benefit. In this view of the subject, it is not wonderful that the religious public are beginning to use their exertions to promote emigration to the delightful region beyond the Mississippi ; for however the son of the forest may be entitled to the rights of humanity, and however the States may be disposed to avoid collision with the General Government, in relation to Indian affairs, a dependent situation within the States is attended with evils too obvious and too serious to be overlooked. These evils to the Indians might be greatly enhanced by the manner of exercising the power, entering into the composition of sovereignty, of buying off, or otherwise removing, the permissive occupancy of the territory claimed by them : for although the President of the United States has given a guarantee of this occupancy, it is not perceived that this guarantee rests on any valid foundation ; and it may therefore be presumed that it will ultimately be withdrawn, when the President shall have reviewed the whole ground, including the exposition of Indian titles, made by an authorised agent, with the apparent sanction of a late administration of the General Government.

In view of the premises, the committee recommend the adoption of the following resolution, viz :

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met,* That they approve the policy of the General Government towards the Indians, so far as it is calculated to induce them to remove beyond the operation of those causes which evidently tend to retard their improvement, and to extend to them, in a favorable position, the fostering protection and assistance of the country.

*Resolved,* That copies of this report and resolution be transmitted to the President of the United States, and to the delegation in Congress from this State.

Approved, Dec. 18, 1829.

# HOUSE OF REPRESENTATIVES.

Saturday, 12th December, 1829.

The committee to which was referred the petition of Benj. F. Hardman, Solicitor General of the Northern circuit, have had the same under consideration, and are of opinion that the prayer of the petitioner is reasonable and just and ought to be granted—They therefore offer the following resolution:

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the sum of one hundred and fifty-seven dollars be allowed to the said Benj. F. Hardman, as a compensation for his services in collecting and paying over to the Cashier of the Central Bank the sum of nineteen hundred and fifty-three dollars, for prosecuting to judgment suits to the amount of sixteen hundred and forty-six dollars, and for settling cases, pending suits therein to the amount of eighteen hundred and ninety-nine dollars, and for the foreclosure of two mortgages, in all which cases the State was a party; and that the same be inserted in the bill appropriating monies for the political year eighteen hundred and thirty.*

Approved, Dec. 18, 1829.

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# HOUSE OF REPRESENTATIVES,

Saturday, 12th December, 1829.

Whereas doubts are entertained by the present Trustees of the poor school fund of the several counties of this State, in relation to the payment of accounts due to teachers prior to the appointment of said Trustees, and which have not been paid by their predecessors—Therefore

*Resolved, That the Trustees of the poor school fund of said counties be, and they are hereby authorised and required to accept and pay off all accounts due for the tuition of poor children prior to their acceptance of the appointment of Trus-*

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tees, (and which have not been paid by their predecessors,) in the order the same become due—*Provided* the persons claiming such accounts shall render the same under oath.

*And be it further resolved*, That his Excellency the Governor be, and he is hereby authorised and required to pay over the amount of the poor school fund set apart for this State.

Approved, Dec. 18, 1829.

HOUSE OF REPRESENTATIVES,  
Saturday, 12th December, 1829.

The committee to whom was referred the report of the Comptroller General on the subject of the proceedings had against Thomas Hughes and his securities, a defaulting tax collector of Jackson county, for the year 1813, have had the same under consideration, and find from said report that an execution issued on the 2d day of December, 1814, in favor of the State, against said Hughes, for \$65 92 cents, which amount was collected by the Sheriff of Jackson county and paid over by him to Thomas W. Cobb, the then Solicitor General, and satisfaction entered on said execution, as appears by the affidavit of Allen Mathews and Wm. Potts, the Sheriff—And it further appears, that on the 30th day of Jan. last, a second execution issued against said Hughes and his securities for \$74 66 cents, which money was paid over by Judge Cobb, in August last—They therefore offer the following resolution :

*Resolved*, That the Comptroller General be, and he is hereby required to enter up full satisfaction in favor of Thos. Hughes and his securities, as defaulting tax collector of Jackson county, for the year 1813, and that he call in said executions and cause satisfaction to be entered thereon accordingly.

Approved, Dec. 18, 1829.

HOUSE OF REPRESENTATIVES,  
Monday, 14th December, 1829.

*Resolved*, That the Senators and Representatives of this General Assembly shall each receive a copy of the Laws and Journals of the present session, when printed, and that copies be delivered them accordingly by the proper officers of their respective counties.

Approved, Dec. 18, 1829.

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HOUSE OF REPRESENTATIVES,  
Saturday, 12th December, 1829.

The committee to whom was referred the petition of Murtha Griffin of Wilkes county, praying to be relieved of a tax about to be enforced against him, have had the same under consideration, together with the evidence, and are of opinion that the prayer of your petitioner is reasonable, and founded in justice, and therefore ought to be granted, said tax having been illegally assessed, as it satisfactorily appears that he was not the rightful owner of said table—They therefore beg leave to recommend the following resolution :

*Resolved*, That the Comptroller General be, and he is hereby required to allow the tax collector of Wilkes county, on final settlement, the amount of the aforesaid tax, illegally assessed against said Murtha Griffin, as owner of a Billiard Table, for the year eighteen hundred and twenty-eight.

Approved, Dec. 18, 1829.

## HOUSE OF REPRESENTATIVES,

Wednesday, 16th December, 1829.

The Joint Committee on the Penitentiary have taken into consideration the several references made to them—have examined the reports of the Inspectors of the Penitentiary—that of the Principal Keeper, and the several departments connected with the Institution. The Institution appears to have been managed with care, prudence and discretion. The several superintendants have met with the approbation of the several committees appointed particularly to examine the respective departments; and the fidelity, energy and zeal manifested by the Inspectors, give good assurance that they have had a single eye to the improvement of the system of punishment, and the improvement of the means to sustain the Institution. With some alteration in the system generally, the repairs of the building and walls, the erection of cells, and other improvements which will suggest themselves to the Inspectors and the Keeper, there is no doubt that the Institution will be able to sustain itself without aid from the government. Such seem the views for which it was established, the change of punishment alike inefficient in itself, and revolting to the feelings of the christian and the philanthropist.—Your committee have not thought it necessary to embody, in this report, an extended view of the fiscal concerns of the Institution. The report of the Inspectors having been already admitted to the Legislature for their examination—they would therefore only express the hope that an Institution, established upon principles of humanity, will be cherished by our government, as a mean for the suppression of crime, calculated alike to intimidate the youthful violator of the law, and the more experienced convict. Experience has proven that placing the brand of infamy is seldom attended with reformation, and your committee cannot but believe that a system of punishment approved by the most enlightened parts of the world, will meet with the approbation of the citizens of Georgia, who are ever willing to make progress in the road of civilization and refinement, and will never be the first to retrograde to the practices of an age of cruelty and barbarism.

Approved, 21st Dec. 1829.

## IN THE HOUSE OF REPRESENTATIVES,

Thursday, 17th December, 1829.

Whereas the number of members which, under the present provisions of the constitution of this State, compose the General Assembly, is considered by many of the good citizens of the State by far too numerous, and consequently unnecessarily expensive for an economical people—For the purpose therefore of ascertaining the voice of the people on this all-important and interesting subject:

*Be it therefore resolved*, That all the voters of Georgia, who feel for the interest and prosperity of the State, and who wish to reduce the number of the members of the General Assembly of Georgia, be required, on the first Monday in October next, to say on their Tickets, if in favor of a reduction, "*Reduction*"—if against, "*No Reduction*."

*Resolved further*, That the superintendents of elections on that day keep a poll of the same, and certify it to the Governor, a statement of the poll, and that he cause the same to be laid before the next General Assembly; and that he cause these resolutions to be published once a month in the Gazettes at Milledgeville, until the election.

Approved, 21st Dec. 1829.

## HOUSE OF REPRESENTATIVES,

Thursday, 17 December, 1829.

Whereas it appears that on the list now in the Executive Department, of persons entitled to draws in the Land Lottery authorised by the act of eighteen hundred and twenty-one that Thomas Kennon of Captain Leonard's district in Morgan county, is returned on said list as being entitled to two draws, and did draw in said lottery, lot number forty-four in the seventh district of Houston county—And whereas it is represented to this Legislature that Thomas Ken-

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non, who is now in life did not give in for a draw or draw in said lottery, but Thomas Kinman who is now dead did give in for two draws in said lottery, but whose name does not appear on the list of persons entitled to a draw or draw in said lottery from said district; it is therefore believed that a mistake has taken place, and that Thomas Kinman and not Thomas Kennon drew lot number forty-four in the seventh district of Houston county.

*Resolved therefore,* That His Excellency the Governor be and he is hereby authorised and instructed to have a grant issued in the name of Thomas Kipman of Captain Leonard's district, Morgan county, for lot number forty-four in the seventh district of Houston county, on payment of the usual grant fees: *Provided,* that he shall receive sufficient evidence that Thomas Kennon did not give his name for draw or draws in said lottery of eighteen hundred and twenty-one, in Captain Leonard's district, Morgan county.

Approved, Dec. 21, 1829.

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IN THE HOUSE OF REPRESENTATIVES,  
Friday, 18 December, 1829.

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* That his Excellency the Governor cause to be published in such Gazette of this State as he may select, such of the public acts passed during the present session, as he may deem necessary should receive immediate promulgation.

Approved, Dec. 21, 1829.



IN THE HOUSE OF REPRESENTATIVES,

Saturday, 19 December, 1829.

*Resolved*, That John B. Coleman, Abraham Lord, Ben. J. Keton, William Stafford, Martin G. Mims, Thomas ohnson, and Abraham Dyson, be, and they are hereby appointed Trustees of Lee county Academy.

Approved, Dec. 21, 1829.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, 19 December, 1829.

The Select Committee to whom was referred the petition of Charles C. Burch, contractor for the addition to the State House, praying compensation for extra work and losses sustained by him in the erection of said building, have had the same under consideration, and Report—

That the limited time allowed your committee for the investigation of the evidence on which said claims are founded, have not permitted them to go into it as fully as they could wish. The examination however, which they have given the subject has satisfied the committee that the petitioner is entitled to some relief from the Legislature for the losses sustained, and for extra work performed by him in the erection of the State House edifice.

In order to afford an opportunity of more fully investigating said claims, and of doing justice to the petitioner, in the premises, your committee beg leave to submit the following resolution :

*Resolved*, That the petition and claims of Charles C. Burch be submitted to three Commissioners, all of whom shall be well qualified to judge of said work, and the propriety of said claims, said commissioners to be appointed by his Excellency the Governor who shall examine and re-

port to the Governor, the quantity of work done by the petitioner, which is not contained in the specifications of his contract (if any) the value of the same, also to inspect the work contained in the specifications of said contract, and provided it shall be found not to be done in the manner set forth in said contract, then and in that case to make such deductions as may to them seem just and equitable—also the value of the well sunk by said Burch, in front of the State-house together with the loss (if any) sustained by him in consequence of failures on the part of the State's contractors for materials, to comply with their engagements, whose reports in whole or in part, shall be subject to the approval or disapproval of his Excellency the Governor. Said commissioners shall be sworn before entering upon the discharge of their duties.

*Resolved further,* That should his Excellency approve the same in whole or in part, he shall draw his warrant on the fund appropriated for the erection of the addition to the State house, for the amount so reported and approved in favor of said petitioner.

*Resolved,* That the said commissioners shall be allowed a reasonable compensation for their services, to be approved of by his Excellency the Governor, and when so approved, his Excellency the Governor shall be authorised to draw his warrant in favor of said commissioners on any monies in the Treasury not otherwise appropriated.

Documents setting forth the petitioners claims, are herewith submitted, which the committee desire to accompany this report.

Approved, Dec. 21, 1829.

HOUSE OF REPRESENTATIVES,

Monday, 21 December, 1829.

Whereas there are considerable balances of public money in the hands of various river commissioners; and whereas the act of the present session has provided a new plan for directing the operations on our rivers:

*Resolved therefore, by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the Governor appoint one or more competent agents, to ascertain the situation of the public funds, and property in the hands of any river commissioner or commissioners, or their agents, to collect and pay into the Treasury the balances aforesaid, to dispose of the property aforesaid for the public benefit, and to institute suits when necessary, for the purpose of carrying this resolution into effect: Provided, that in cases in which the commissioners have faithfully discharged their duties, and in which it may be consistent with the views of the General Assembly, as indicated by their proceedings during the present session, the Governor may exercise a sound discretion in enforcing or suspending the operation of this resolve.*

Approved, Dec. 21, 1829.

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